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## LEGISLATIVE HISTORY

Public Law 372--78th Congress

Chapter 301--2d Session

H. R. 4879

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## WAR AGENCIES APPROPRIATION ACT, 1945

WAR AGENCIES APPROPRIATION ACT, 1945. Provides funds for Selective Service System, Office of Civilian Defense, Office of the Coordinator of Inter-American Affairs, Office of Defense Transportation, Office of Censorship, Petroleum Administrator for War, Office of Strategic Services, War Labor Board, Office of Scientific Research and Development, Office of War Information, Office of War Mobilization, WPB, War Shipping Board, and War Relocation Authority.



# INDEX AND SUMMARY OF HISTORY ON H. R. 4879

March 20, 1944	Hearings: House, H. R. 4879, Pt. 1.
April 19, 1944	Hearings: House, H. R. 4879, Pt. 2.
May 16, 1944	Hearings: House, H. R. 4879, Pt. 3.
May 25, 1944	House Committee on Appropriations reported H. R. 4879. House Report 1511. Print of the bill as reported.
	Debated in the House.
May 26, 1944	House debate concluded. Passed House without amendment.
May 29, 1944	H. R. 4879 was referred to the Senate Committee on Appropriations. Print of the bill as referred.
	Remarks of Representatives Cochran and Rizley.
June 1, 1944	hearings: Senate, H. R. 4879.
June 12, 1944	Senate Committee on Appropriations reported H. R. 4879 with amendments. Senate Report 960. Print of the bill as reported. Amendments proposed by Senator McKellar. Prints of the amendments.
June 13, 1944	Amendment proposed by Senator Russell. Print of the amendment..
June 15, 1944	Amendments proposed by Senators Vandenberg and Danaher. Prints of the amendments.
	Debated in the Senate.
June 16, 1944	Debate continued.
June 19, 1944	Debate concluded. Passed the Senate with amendments.
June 20, 1944	Print of H. R. 4879 with the amendments of the Senate numbered.
	Senate resumed consideration of H. R. 4879. Senate Conferees appointed.
June 21, 1944	House Conferees appointed.
June 22, 1944	House and Senate received and agreed to the Conference Report. House Report 1722.
June 28, 1944	Approved. Public Law 372.









## NATIONAL WAR AGENCIES APPROPRIATION BILL, 1945

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MAY 25, 1944.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. CANNON of Missouri, from the Committee on Appropriations, submitted the following

### REPORT

[To accompany H. R. 4879]

The Committee on Appropriations submits the following report in explanation of the bill entitled "A bill making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes."

#### SCOPE OF BILL

The Budget estimates upon which the bill is based were submitted in the following House documents of the present session: Nos. 481, 483 to 489, inclusive, 492, 496, 499, 500, 501, 503, 512, 521, 532, and 543. The Budget estimates comprise funds for 16 war agencies in the Executive Office of the President and 1 under the Interior Department. The list does not include the War Manpower Commission which is to be carried in the Labor-Federal Security Agency appropriation bill. The Office of Price Administration and the Office of Economic Stabilization will have to be considered in the second deficiency bill due to the fact that legislation has not been presented extending the basic law. The Foreign Economic Administration, successor to the Office of Economic Warfare and other agencies, will be presented in a separate bill embodying lend-lease funds and the United States contribution to the United Nations Relief and Rehabilitation Administration.

The agencies for which funds are included in this bill are:

- Office of Censorship.
- Petroleum Administration for War.
- Selective Service System.
- Office of Strategic Services.
- Office for Emergency Management:
  - Division of Central Administrative Services.
  - Office of Civilian Defense.
  - Committee on Fair Employment Practices.
  - Coordinator of Inter-American Affairs.

Office of Defense Transportation.  
National War Labor Board.  
Office of Scientific Research and Development.  
Office of War Information.  
Office of War Mobilization.  
War Production Board.

Smaller War Plants Corporation.  
War Shipping Administration.  
War Relocation Authority.

The functions of the war agencies in this bill cover a wide range of highly important and vital duties in connection with the prosecution of the war. A general statement of them does not give a complete picture but it does, in casual fashion, call attention to their range and general scope. They include the supply of manpower for the armed services; the censorship of international mail and communications including letters, parcel post, cables, telephone, and wireless; the analysis of strategic information and the performance of special duties for the Joint Chiefs of Staff of our armed forces; the supply and proper distribution of adequate quantities of petroleum and its products for the armed forces and civilian requirements; the conduct of propaganda warfare in enemy, enemy-occupied, and neutral countries, and the furnishing of information programs to facilitate the development of informed and intelligent understanding of the status and progress of the war effort and of the war policies, activities, and aims of the Government; the maintenance and improvement of the solidarity of purposes and aims of the nations of the Western Hemisphere; the control and maintenance of adequate rail, motor-carrier, and inland and coastal waterway transport facilities and their proper functioning in the war effort in the United States; the control of wages to assist in controlling inflation and the adjudication of labor disputes; the conduct of scientific research for the development of new weapons of war and in military medicine in the interest of our armed forces; assistance to small industrial plants to aid them to survive the vicissitudes of the war economy; prevention of discrimination in employment in Government and war industry during the duration because of race, creed, color, or national origin; preparation for disposal of surplus materials, plants, supplies, and equipment to result from cessation of war; preparation for reemployment and retraining of returning members of the armed forces and persons released from war industry upon cessation of the war; the maintenance, operation, and management of the entire merchant marine under the American flag except Army and Navy controlled vessels but including many vessels of foreign registry subject to charter—the greatest maritime enterprise of all history; the control, maintenance, supervision, and support of alien and citizen Japanese removed from the Pacific coast defense command area and the management of their real and personal property wherever located during the period of isolation; the organization, assistance, and cooperation with the State and local volunteer civilian defense organization in the promotion of community war facilities and home defense; and the maintenance of our maximum productive capacity in the interest of the war and the civilian economy and the assignment of the critical and strategic materials in the best interest of the war effort—in effect the management of the national economy for the prosecution of the war.

The committee has inquired as fully as time permits into the operations of the agencies and their proposed budgets. Nearly 2 months have been given to hearings and consideration of the bill. The hearings are in 2 parts totaling more than 1,800 printed pages.

While members may not have the time to examine the hearings in great detail, attention is invited to the general statements of the heads of the agencies. They are illuminating and give an over-all picture of the activities of each one. A considerable amount of testimony does not appear in the printed record. It is of a nature which should not, in the interest of the prosecution of the war, be made public. This is particularly true of the Office of Scientific Research and Development, the Office of Strategic Services, the Office of War Information, the War Shipping Administration, and the Office of Censorship.

#### APPROPRIATIONS AND ESTIMATES

The financial data with respect to the bill are as follows:

##### 1944 funds for all agencies:

Direct appropriations-----	\$2, 801, 267, 542
Contract authorization-----	18, 000, 000
Total-----	<u>2, 819, 267, 542</u>

##### 1945 Budget estimates:

Direct appropriations-----	1, 068, 813, 425
Contract authorization-----	2, 500, 000
Total-----	<u>1, 071, 313, 425</u>

##### Committee recommendation for 1945:

Direct appropriations-----	1, 030, 858, 367
Contract authorization-----	2, 500, 000
Total-----	<u>1, 033, 358, 367</u>

##### Committee recommendation less than 1944 funds:

Direct appropriations-----	1, 770, 409, 175
Contract authorization-----	15, 500, 000
Total-----	<u>1, 785, 909, 175</u>

##### Committee recommendation less than 1945 estimates:

Direct appropriations-----	37, 955, 058
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#### OFFICE OF CENSORSHIP

1944 appropriations-----	\$29, 600, 000
1945 Budget estimate-----	29, 814, 425
Committee recommendation for 1945-----	29, 700, 000
Recommendation exceeds 1944 funds-----	100, 000
Recommendation less than 1945 Budget estimates-----	114, 425

The Budget contemplates continuing operations of the Office of Censorship on approximately its present scale. It reflects numerous economies and consolidations which have been put into effect during

the present fiscal year and which have enabled the Office to function within the level of the current appropriation. The number of personnel provided by the 1944 funds is 14,323 civilians, and the 1945 budget makes provision for a total of 12,771. Employment as of February 29 totaled 12,236, or 535 less than the number requested for 1945. Civilian employment provided for 1945 is 1,552 less than that appropriated for 1944. Two hundred additional civilian employees were authorized as of March 31 last, leaving the differential available for increasing work load during the remainder of this fiscal year and all of 1945 at 335. The uncertain factor in the work load is the censoring of prisoner-of-war mail, which is about 3 times the quantity estimated when the 1944 appropriations were granted and is steadily increasing. Volume of this mail increases in proportion to the number of prisoners taken by our forces and transported to the United States. Most of this mail is from Germany and a small amount from Italy and all is censored in the New York office. The intensification of the war in Europe will undoubtedly increase the responsibilities of censorship in this direction. Prisoner-of-war mail is censored in the country of origin and must be carefully scrutinized before delivery to prisoners in this country. The quantities of mail which prisoners of war may send and receive is fixed by international agreement.

Civilian personnel in the Office of Censorship is supplemented by military and naval personnel, largely the latter in the cable division, to the number of 1,553 in 1944 and 1,382 estimated for 1945, with employment as of February 29 of 1,449. The cost of this personnel is paid by the War and Navy Departments and, based upon the number assigned as of February 29, is estimated at approximately \$4,200,000 a year. The cost of this personnel for fiscal 1945 will be in the neighborhood of \$4,000,000, which, added to the \$29,700,000 provided in the bill, makes the total cost of the agency \$33,700,000.

Censorship of mail and messages is responsible for the main costs. Censorship of press and radio is on a voluntary basis according to codes promulgated for the industry to follow. Excellent cooperation has been received in both instances from the press and radio industry and the entire censorship operation has functioned effectively and with little friction and ostentation.

The committee is not entirely certain that the funds allowed will meet all of the needs. Some \$300,000 of automatic promotions which are required by law will have to be made in 1945 and no special provision has been included for them. The volume of prisoner-of-war mail is a rapidly growing load of important work and the liberation of areas which have heretofore been under Axis domination will increase the volume of other mail to this country which will need to be censored. A decrease of \$100,000 has been made in the belief that the accomplishment of further economies in operation will permit the absorption of the cut. Provision is made to the extent of \$10,000 to permit development and research work on modes and devices which will facilitate the examination of communications, and a confidential fund of \$10,000 is provided for use by the Director in connection with the intelligence work of the Office.



## PETROLEUM ADMINISTRATION FOR WAR

1944 appropriations.....	\$6, 070, 000
1945 estimates.....	6, 550, 000
Committee recommendation for 1945.....	6, 000, 000
Recommendation less than 1944 funds.....	70, 000
Recommendation less than 1945, Budget estimates.....	550, 000

The cooperative effort of the Petroleum Administration for War and the national petroleum industry has resulted in a most gratifying situation with respect to the important supply of petroleum for the prosecution of the war. The airplanes, tanks, trucks, naval vessels, cargo vessels, and other equipment depend upon petroleum for their motivation. Without adequate supply the war effort is impeded. It is as vital as guns and ammunition.

It is the responsibility of the Petroleum Administration for War to direct and coordinate the activities of the petroleum industry, world-wide, so far as American companies operating either domestically or abroad are concerned. The industry is the second largest in the United States. Present consumption is approximately 5,000,000 barrels of petroleum a day divided about 3,700,000 barrels for industrial and civilian demand and 1,300,000 barrels for military and naval uses. Domestic production is 4,700,000 barrels daily against a production of 4,000,000 barrels daily prior to the war. With domestic production 300,000 barrels daily below consumption, the deficiency is being met by the importation of 150,000 barrels and drawing upon inventories for the other 150,000 barrels. The committee was advised that with the exception of a possible additional 200,000 barrels a day of domestic production which is in sight, the United States is producing every day all of the oil that the wells of the country will produce without doing serious damage to the underground reserve by inefficient operation.

Military demands have been supplied in full—oil not lacking on any front. The construction of new facilities and the production of high-octane gasoline for the air forces have been one of the outstanding industrial and technical successes of the war.

The decrease of \$70,000 under the 1944 appropriation and \$550,000 in the Budget estimate have been accomplished with the cooperation of Administration officials. They have made consolidations within the organization, improved procedures, and otherwise brought about economies which result in savings approximating \$390,000 a year. The committee has effected this decrease, reduced the travel estimates by \$30,000, and in addition has reduced the amount requested for adjustment of pay of present personnel.

The personnel provided for the fiscal year 1944 is 1,415; the number estimated for 1945 is 1,479; and the number allowed for 1945 is 1,365. Key personnel, largely drawn from experienced personnel from the industry, is permitted for the present year to an amount of \$600,000 for the current fiscal year and this sum is reduced for 1945 to \$425,000 and provision inserted to prohibit the transfer of any person from a civil-service pay status to an ungraded pay status.

## SELECTIVE SERVICE SYSTEM

1944 appropriations.....	\$68, 243, 000
1945 Budget estimates.....	63, 573, 000
Committee recommendation for 1945.....	61, 500, 000
Recommendation less than 1944 funds.....	6, 743, 000
Recommendation less than 1945 Budget estimates.....	2, 073, 000

The responsibility of the Selective Service System for supplying manpower for the armed forces, while on a lesser scale for the coming fiscal year in respect to numbers of men, is nevertheless an increasingly difficult task as the reservoir from which the men are to be drawn is decreased. The System also has a duty in connection with men returning from the armed forces with respect to their reemployment, which is on a gradually expanding scale.

Estimates of manpower requirements for the fiscal year 1944 include 100,000 for the Navy and approximately 150,000 per month for the Army for replacements, or approximately 1,900,000 men. To secure these numbers requires the examination and reclassification of a much larger number to allow for rejections and other causes for failure to qualify. The measure of the work of the Selective Service System is more properly based upon the number of individual classifications throughout the organization, from local boards on up, which are necessary in order to get the required manpower. It is estimated, based upon previous experience, that it will be necessary to make 21,000,000 individual classifications in 1945 as against a total of 29,000,000 in 1944. Men discharged from the armed forces, cumulative to March 1, and returning to civil life totaled 1,200,000, exclusive of the wounded, and the number currently is running at the rate of 100,000 per month. Responsibility by law has been placed upon Selective Service for getting for these discharged men their old jobs, or, if they do not want them, providing them with new employment. This will be an increasingly difficult task as the numbers increase and the employment situation changes.

The combined tasks of supplying new men for the armed forces and caring for returning men is one which will tax the selective service severely in the coming year. The armed forces want and need young men, and these must be supplied without interfering with the flow of production from vital war industry and agriculture. The task is most difficult because it involves a constant review of the classification status of many millions of men periodically.

The selective service is administered through a paid civilian organization, detailed Army and Navy personnel, and the uncompensated members of 6,440 local boards. There is no way of estimating the dollar value of the patriotic, unselfish, free service rendered by the thousands of local board members since the inception of selective service. The cost of the detailed armed service personnel approximates \$4,000,000 a year defrayed from armed service funds. Employment of full-time civilian personnel throughout the system, including clerks to local boards, is estimated at 20,280 man-years for 1945. The number employed on February 29 last is 21,922, and this is expected to be reduced by June 30, 1945, to 19,385.

The committee has made a decrease of \$2,073,000 in the Budget estimate. It has done so in the belief that the change in the requirements for manpower in the coming year will permit such an amount to be met either by economies, or lessened duties, or both. The function of selective service must be performed well and promptly, and if as the fiscal year progresses it appears that the cut cannot be absorbed the committee will be in position to review the situation early in the coming regular session and reconsider fiscal requirements.

## OFFICE OF STRATEGIC SERVICES

1944 appropriation.....	\$35,000,000
1945 Budget estimate.....	57,000,000
Committee recommendation for 1945.....	57,000,000
Recommendation exceeds 1944 appropriation.....	22,000,000

The Office of Strategic Services, of which Brig. Gen. William J. Donovan is Director, functions as an agency of the Joint Chiefs of Staff. It is charged with the planning, development, and execution of strategic services for the Joint Chiefs of Staff and the development of doctrine covering such services and the training of personnel.

The principal functions consist of intelligence work and special services undertaken by direction of the Joint Chiefs of Staff. Operations in the field, both as to type and method, are subject to the directives of the Joint Chiefs and to the immediate jurisdiction and authority of the area commander in which the function is carried on. Bases are maintained in each theater within which the activities of the agency are conducted. The principal bases are already established and others are in process of establishment. The number of personnel and facilities required to operate and service these field establishments will need to be increased substantially during the coming fiscal year.

The Office of Strategic Services is an adjunct of the armed services consisting of armed service personnel, civilian personnel, unclassified, and civil-service personnel. The nature of its operations is highly secret and for that reason most of its work has been discussed apart from the printed record.

The committee has recommended the Budget increase based upon the relationship of the agency to increased military operations. The chairman of the committee recently addressed a letter to General Marshall, Chief of Staff, with respect to the integration with, and supplementation of, the military effort by the Office of Strategic Services and the Office of War Information and the increased part these organizations are called upon to take in connection with projected military activities. Reference to this letter relating to both organizations will be found in this report under the discussion of the Office of War Information.

Of the \$57,000,000 provided, \$37,000,000 may be expended without regard to the provisions of law relating to the expenditure of Government funds or the employment of persons in the Government service, and of the \$37,000,000, \$35,000,000 is permitted to be expended for objects of a confidential nature and accounted for solely on the certificate of the Director. This authority follows the pattern for funds of this nature established for present fiscal year except as to amount. It is an unusual procedure in handling of Government funds and the committee has inquired closely, off the record, as to the methods pursued. The purposes to be served and the objectives to be attained cannot be accomplished with the essential secrecy in any other manner.

## DIVISION OF CENTRAL ADMINISTRATIVE SERVICES

1944 appropriations.....	\$10,867,200
1945 Budget estimates.....	9,133,000
Committee recommendation for 1945.....	7,783,000
Recommendation less than 1944 funds.....	3,084,200
Recommendation less than 1945 Budget estimates.....	1,350,000



The Division of Central Administrative Services is an agency rendering centralized administrative functions for a number of the war agencies within the Office for Emergency Management. These services consist in the main of fiscal, accounting, and auditing services; procurement of supplies, materials, and equipment; procurement of office space; mail and messenger service; duplicating and distribution service; central telephone switchboard service; and a number of other minor miscellaneous services.

Committee investigators have made two studies and reports on the operations of the Division and its relationship to the agencies serviced. Undoubtedly at the outset of war agencies the function of the Division saved considerable time and funds in the process of the organization of the agencies and in starting them operating. All agencies are now on a completely organized basis.

The committee is convinced that there exists as between the Division and the agencies served a considerable amount of lost motion and duplicated expense. Practically all agencies have the necessary supervisory personnel to direct these functions without additions to staffs for this purpose. Many of them now are obliged to perform some part of a function carried on for them principally by the Central Administrative Services before the latter can continue the carrying out of the function.

Data received by the committee from the Central Administrative Services as to cost of performance of certain of these functions for the agencies, compared with data furnished by the agencies as to what they estimate they could take over these functions for themselves, indicate a wide divergency in cost. The functions reported on for the agencies contacted show a reported cost by Central Administrative Services for performing the functions of \$5,671,921 and the agencies' own estimates for performing these same functions total \$2,968,701, or \$2,703,220 less than the cost reported by Central Administrative Services. The committee recognizes that there are some variables in these cost figures. The Central Administrative Services reported cost is on an estimated basis and not on a cost-accounting basis—a figure which is not kept or available. The agencies' estimates may not be complete, yet on the basis of experience the committee is inclined to feel that they would be more likely to overestimate than underestimate. The difference of \$2,700,000 is too sharp a spread in costs to be ignored.

It is the committee's recommendation that many of these functions should be performed by the agencies themselves at reduced cost. It is recognized that the central duplicating function and the central switchboard operation in Washington cannot be distributed to agencies. They present no special problem. The duplicating function could be handled by whatever agency is the largest customer of the plant and be at least as efficiently run—such agency in this case is the War Production Board. The central switchboard function could be effectively handled by the Public Buildings Administration, which has familiarity with such operations in connection with management of public buildings.

Manifestly it is impossible for the committee to make an administrative determination of the matter. It requires handling both for the District of Columbia and field operations. The decrease of \$1,350,000 is made on the basis of one-half cut in the amount of



difference in the figures above quoted, which are on an annual basis. It will take time to make the necessary changes and the committee has left those for administrative action. The language of the bill has been adjusted to make possible retransfer of funds from Central Administrative Services to agencies and transfer of functions can be accomplished within the framework of existing law.

The decrease of \$3,084,200 under 1944 funds consists of the non-recurring item of \$750,000 provided in 1944 for the working capital for the central duplicating plant, the \$1,350,000 reduction previously referred to, and \$984,200 by the retransfer of functions to certain agencies and the reduction of other expense.

## OFFICE OF CIVILIAN DEFENSE

## 1944 appropriations:

## Divided:

Civilian defense activities-----	\$4, 000, 000
Care and custody of property-----	700, 000
	<u>4, 700, 000</u>

## 1945 Budget estimate:

## Divided:

Civilian defense activities-----	638, 500
Care and custody of property-----	500, 500
	<u>1, 139, 000</u>

## Committee recommendation for 1945:

## Divided:

Civilian defense activities-----	538, 500
Care and custody of property-----	461, 500
	<u>1, 000, 000</u>

## Recommendation under 1944 appropriations:

## Divided:

Civilian defense activities-----	3, 461, 500
Care and custody of property-----	238, 500
	<u>3, 700, 000</u>

## Recommendation under 1945 Budget estimate:

## Divided:

Civilian defense activities-----	100, 000
Care and custody of property-----	39, 000
	<u>139, 000</u>

The Office of Civilian Defense as a war agency has been greatly curtailed in the present fiscal year and will be further curtailed in the coming fiscal year based upon the security situation in the United States. However, the time has not arrived when it should be eliminated entirely and the decision for continued vigilance on the part of civilian defense authorities of the United States, State councils of national defense, and local councils, is based upon military opinion, with respect to the situation generally and with special reference to the east and west coasts. These letters are from Secretary of War Stimson, page 401, part II, of the hearings; Lt. Gen. Delos C. Emmons, commanding general, Western Defense Command, page 398, part II, of the hearings; and Lt. Gen. George Grunert, commanding general, Eastern Defense Command, page 400, part II, of the hearings.

In connection with the preparation of the curtailed Budget for 1945, the Office of Civilian Defense contacted the various States with regard to their needs for assistance from the Federal Government. Of the 40 States replying, 35 stressed the advantages of continued expanded liaison with other Federal agencies which had been helpful to them in the past. Requests were also made to continue assistance in the training of State defense council staffs and for assistance in handling institutes and conferences. The list of States so responding is found on page 382 of the hearings.

As will be noted from the figures in this report, the decrease in Federal funds is from \$4,700,000 for 1944 to \$1,000,000 for 1945 in total. The sum allowed is divided into two component parts for separate activities. The amount for civilian defense activities is \$538,500 compared to a total for the present fiscal year of \$4,000,000, a decrease of \$3,461,500 or 86.5 percent and \$100,000 under the Budget estimate. The main portion of the sum recommended is for the Division of Federal-State Cooperation and as to this activity the following is quoted from General Haskell's testimony:

The Office of Civilian Defense is responsible, under Executive order, for promoting cooperation between Federal and State Governments in the carrying out of war programs involving extensive use of volunteers and for mobilizing community resources to meet war problems. Many of these programs are well known. They include War bond sales, salvage collection, food production and conservation, rationing, and recruiting of women for the armed services. Without complete cooperation of State and local defense councils these programs cannot be carried out successfully since they depend largely upon organized volunteer assistance for their accomplishment. The same defense-council machinery is employed by communities in tackling wartime problems of housing, health, and absenteeism which impede the war effort.

As an arm of State government, the State defense council provides a focal point for the coordination of Federal and State programs in the war effort. The local council, as an arm of the county or municipal government, similarly furnishes a point at which leadership and the resources of Federal, State, and local agencies can be brought together for united action. Every State now has a defense council. Local councils exist in approximately 11,000 communities, representing over 99 percent of the Nation's population. The number of volunteers in civilian defense work outside of the protective services is estimated at approximately 6,000,000 people. Each of these councils operates in the nonprotective field through a series of committees created to handle community war campaigns and war problems. Such committees are only organized where an actual need exists. Most councils in larger communities have salvage committees, Victory-garden committees, transportation committees, child-care committees, War bond committees, and housing committees. The work of these committees is coordinated by a war services board composed of the heads of the committees, the representatives of interested community agencies, and such additional representation as will give a good cross section of the community. The volunteer office of each local council is the central point of clearance for all volunteer war work. Volunteers are supplied for every conceivable volunteer job, ranging all the way from volunteers for hospitals and clinics to volunteers on war price and rationing boards.

The National Office of Civilian Defense has been active in encouraging the development of strong State and local councils since experience has shown that the best war jobs are done in those communities which have developed community machinery to meet the current war need for community-wide action. Representatives of this Office work closely with the heads of State defense councils and with the State council committees in keeping them accurately informed as to Federal agency war needs and in furnishing them with the experience of other State and local councils which have been doing a particularly good job. This office has served as adviser to the State councils, which are now in many cases providing State-wide service through their own staffs, and has encouraged the holding of interstate and intrastate conferences at which defense council representatives have an opportunity to trade ideas and experience.

The Division of Federal-State Cooperation works closely with various Federal agencies to facilitate State and local cooperation in carrying out programs which require the use of civilian defense volunteers. Because of its contacts and experience, the Division is able to provide helpful advice to Federal agencies about the operation and timing of such programs. In recent months, at the suggestion of the national office, many members of the protective services have volunteered throughout the country in helping to carry out programs on which volunteer activity was essential.

No regional offices are provided for the fiscal year 1945 and contacts with States by field representatives will be made by personnel traveling from 4 field offices to be maintained at San Francisco, Chicago, New York, and New Orleans. Full-time civilian personnel as of June 30, 1943, was 1,142, reduced to 655 on December 31, 1943, to 295 on March 31, and provision is made for the fiscal year 1945 for a total of 132. Military personnel assigned to the Office of Civilian Defense will consist of 27 from the Army and 6 from the Public Health Service (the latter on a reimbursement basis), contrasted with the present number of 46 from the Army and 6 from the Public Health Service.

The amount recommended for accounting, handling, warehousing, and shipment of Government property for civilian defense purposes is \$461,500 against a Budget estimate of \$500,500 and a current administrative fund of \$700,000. An original appropriation of \$100,000,000 was made for procurement of gas masks, fire-fighting apparatus and equipment, protective clothing, and medical equipment and supplies, for use in connection with defense against air raids and enemy attack. Of this amount approximately \$53,000,000 was expended and property to the extent of \$43,000,000 has been loaned to States and local communities and approximately \$10,000,000 is centralized in three warehouses located at New Castle, Ind., Hanover, Pa., and Salt Lake City, Utah. Title to all of this property is in the United States. The amount allowed will provide for warehousing the inventory, redistribution and reallocation, and reshipment of equipment now loaned to local communities, and keeping of records of all property.

In making the decrease of \$139,000 in the Budget estimates, the committee feels that it has provided the irreducible minimum for a Federal program of leadership in civilian defense considering the lessened danger of attack, but viewing the home-front activities which are carried on by State and local councils and their contribution to the war effort. All danger of coastal attack of some character is not definitely past, and those regions are entitled to and should continue to receive attention.

COMMITTEE FOR CONGESTED PRODUCTION AREAS

1944 appropriation (President's emergency fund) -----	\$359, 385
1945 Budget estimate -----	669, 000
Committee recommendation for 1945 -----	0

The Committee for Congested Production Areas was established by Executive Order 9327 of April 7, 1943, to provide a more effective handling of governmental problems in congested production areas. The Committee consists of the Director of the Bureau of the Budget and representatives designated by the President from the War Department, Navy Department, War Production Board, Federal Works Agency, National Housing Agency, and War Manpower



Commission. The creation of the Committee had its inception growing out of the seriously crowded and congested condition of a number of areas in which war industries brought large influxes of workers and the accompanying family population which taxed the local facilities of housing, transportation, hospitals, water and sewer facilities, recreation, and other community necessities. Numerous individual Federal agencies each working separately on the individual problem of each with local authorities needed some coordinating Federal authority to expedite and correlate the various individual activities to shape the result to a common end in point of timing and accomplishment in providing all of the necessary facilities and living conditions to attract and keep workers at war plants.

The Committee on Appropriations feels that the Committee on Congested Production Areas has filled a need during the period when war plants were being constructed and placed in operation and workers were hastily being recruited and located in the expanded communities. That period of expansion has passed the peak and conditions which were heretofore chaotic should by this time be so resolved, or resolved to such an extent, that the solution of future problems can be handled by the individual Federal agencies in cooperation with local authorities without the intermediary forces of the Committee for Congested Production Areas. The committee has accordingly eliminated the Budget estimate of \$669,000 and the agency will cease to exist on June 30, 1944. It is not a large organization, a total personnel of 79 as of March 31, with 31 in Washington and 48 in the field, distributed over 10 designated production areas. It is the opinion of the Committee on Appropriations that the war effort will not in any wise be interfered with by the elimination of the agency at this time.

#### COMMITTEE ON FAIR EMPLOYMENT PRACTICES

1944 appropriation. (President's emergency fund)-----	\$474, 933
1945 Budget estimate-----	585, 000
Committee recommendation for 1945-----	500, 000
Recommendation exceeds 1944 funds-----	25, 067
Recommendation less than Budget estimates-----	85, 000

The Committee on Fair Employment Practices is the successor of a similar agency established by an Executive order of June 25, 1941, and the present Committee functions pursuant to Executive Order 9346, issued May 27, 1943.

The order is based upon the premise therein outlined that—

it is the policy of the United States to encourage full participation in the war effort by all persons in the United States regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders—

and that—

the successful prosecution of the war demands the maximum employment of all available workers regardless of race, creed, color, or national origin.

The order is directed to the prevention of discrimination in employment in war industries and Government and declares it to be the duty of employers, including Federal agencies and labor unions, to eliminate such discrimination. The order also directs Federal agencies to place a nondiscrimination provision in all Federal contracts negotiated or renegotiated after the date of the order and requiring

the contractor to insert a similar provision in all subcontracts. The text of the order is found on page 523 of the hearings, part II.

There has been much misunderstanding concerning the purposes and powers of the Committee on Fair Employment Practices. It has no jurisdiction whatsoever over social problems such as discrimination in restaurants, on busses, or in other public places. Its jurisdiction is confined by the order to discrimination in "employment in war industries and in government."

A large part of the cases of discrimination are settled without ever coming to the Committee on Fair Employment Practices. Under an agreement with the War Manpower Commission many of them are adjusted at the employment level through the offices of the United States Employment Service. Those which persist beyond that level are reported to the Committee for consideration. A copy of the operating agreement between the Commission and the Committee is printed on page 539 of part II of the hearings.

The minority groups affected by the order fall into four broad classifications—Negroes, religious groups, aliens, and workers of other national origins. Of the cases pending at the time of the hearings, 78 percent affected Negroes, 10 percent affected religious affiliation, 7 percent affected aliens, and 5 percent affected workers of other national origins.

The powers of the Committee on Fair Employment Practices are largely persuasive. It has no authority to enforce an order to cease discrimination except through such sanctions as may be available in connection with employments growing out of Government contracts containing a nondiscrimination provision. Most cases are settled by negotiation. Few proceed as far as the hearing stage. Only two cases have proceeded to the point where they were certified to the President by refusal of a party to cease discrimination. One of these is in process of settlement and the other is pending in a special commission appointed by the President to consider and report to him.

The Committee on Fair Employment Practices has an exceedingly small organization and a growing case load. The number of cases on hand on July 1, 1943, was 1,016, received during the period July 1 to December 31, 1943, 1,930 additional, making a total of 2,946. There were disposed of during that time a total of 989, leaving pending on January 1, 1944, a total of 1,957 cases. New cases are being received at the rate of approximately 400 per month and are being disposed of at a lesser rate, thus increasing the arrearage.

The Budget estimate of \$585,000 contemplated the addition of 17 positions for the fiscal year 1945—2 in the department in Washington and 15 in the field offices for work on cases consisting of 7 examiners, 3 interviewers, and 4 stenographers. The present authorized personnel is 115 of whom 110 are employed—53 in Washington and 57 in the field. The allowance of \$500,000 will permit the continuance of the present staff. It is the belief of the Committee on Appropriations that greater experience of the staff of the Committee on Fair Employment Practices plus the increasing willingness of employers to cooperate in eliminating discrimination will tend to decrease the case load coming in and permit a more rapid disposal of pending cases. Only 2 percent of the cases go to the hearing stage and 98 percent of them are otherwise disposed of. The record of January and February indicates better progress in the matter of disposition

of cases. Many cases docketed are withdrawn and more than half of those settled in the past 6 months have been closed by correspondence. The average time of pendency of cases is approximately 60 days, which duration, with a better experienced organization, should be gradually reduced.

The committee invites attention to the statement of Chairman Malcolm Ross of the Committee on Fair Employment Practices commencing on page 522 of part 2 of the hearings and to the subsequent discussions and interrogations of him and his staff. The record is a clear, fair, dispassionate discussion of a democratic policy of national scope and importance that deserves the earnest perusal and consideration of the House.

#### COORDINATOR OF INTER-AMERICAN AFFAIRS

##### 1944 funds:

###### Divided:

Direct appropriation-----	\$30, 735, 000
Contract authorization-----	18, 000, 000
Total-----	<u>48, 735, 000</u>

##### 1945 Budget estimates:

###### Divided:

Direct appropriation-----	19, 174, 000
Contract authorization-----	2, 500, 000
Total-----	<u>21, 674, 000</u>

##### Committee recommendation for 1945:

###### Divided:

Direct appropriation-----	18, 000, 000
Contract authorization-----	2, 500, 000
Total-----	<u>20, 500, 000</u>

##### Recommendation less than 1944 funds:

###### Divided:

Direct appropriation-----	12, 735, 000
Contract authorization-----	15, 500, 000
Total-----	<u>28, 235, 000</u>

Recommendation less than Budget estimates: Direct appropriation. 1, 174, 000

The amounts recommended for the Office of Coordinator of Inter-American Affairs reflect a reduction of almost 60 percent in the amount recommended for 1945 compared with 1944 funds. The Coordinator's Office was established to cement the ties between the Americas for their common defense against a common enemy. The status of the programs and the need for a continuance during the period of the war are clearly set forth in the following excerpt from the general statement of Mr. Rockefeller:

Now, I would like to talk about the situation today. This Office was created 16 months before we entered the war to strengthen the understanding and economic ties of this hemisphere to resist forces from the outside.

Conditions have changed a good deal from that time. We then were all conscious of the possibility of invasion that materialized later at Pearl Harbor. We did not know how fierce it would be or how far it would come. That fear pulled the 21 republics together into a cohesive force which should not be underestimated. Personal prejudices and personal feelings were put aside in the common fear and common effort for self-defense.



As the war moved to more distant theaters, both in the east and the west, there has been a relaxation of that fear of immediate invasion. At the same time, new elements have come into the picture which have caused serious disturbances throughout the hemisphere. The problems of today are largely economic—the dislocation of transportation, both of water transportation, as a result of the need of ships in the war theaters for transporting war materials, and of internal transportation, resulting from shortages of fuel, coal, oil, gasoline, and various other fuels. In addition, there is the inability to get maintenance parts and new equipment. The other Americas are today suffering serious dislocations (1) resulting from a break-down of the external and internal transportation; (2) resulting from a shortage of manufactured goods. They have not been manufacturing countries, but have imported manufactured goods and exported raw materials.

All-out military production has cut down tremendously our ability to get out those goods so essential to the other Americas and this Government has done its best to permit exports of enough goods to maintain the essential economic stability. But, with the shortage of goods in this country and the dislocation of transportation in the other republics, there has resulted a piling up of goods in some places, and inability to get goods in others. As a result there is a concentration of demand with inadequate supply, so that you have a very serious inflationary trend, which has gone further in some countries than in others, and is causing extreme hardship.

You know the difficulties we have had in trying to control inflation in this country, so you can imagine the problems they have. Only a few of the other Americas have been able to cope with the situation completely, with the result that there is a shortage of goods, including food, a rise in prices, and certain areas of extreme hardships. This has created a good deal of economic uncertainty and social unrest that has been reflected in certain political instability.

Our neighbors have another problem. Axis agents have been driven underground; they are no longer able to use the current vehicles of information, but have been driven to rumors and subversive activities. There has been very effective prosecution and elimination in many spots, but in others there has not been—not because of a lack of desire in some places but because of the difficulty of stamping out Axis activities. So that you have the Axis today underground and, with nine and a half million Axis descendants, first generation Axis descendants, living in those countries, as against 51,000 United States nationals, you can see the relative influence in that respect. They are taking full advantage of the economic problems of those countries. The situation today necessitates a program on our part, which frankly, I feel at no time has been more important than it is today.

This is a continuous and effective program of information, to bring to our neighbors a greater realization that what is happening and has happened is a part of the war; that we in this country are suffering from the same problems they are; that we are making a tremendous sacrifice in men, money, and equipment; that we are spending and borrowing for war in a way the world has never known before; that we cannot continue to spend one dollar for anything in this country that is not absolutely essential to the winning of the war and to our best interests as a nation in the future.

We know that every activity we carry on, and every activity we undertake, has to be scrutinized and rescrutinized today to see whether it can be justified (1) as essential to the war, or (2) as essential to carrying forward the objectives for which we are fighting today. And, gentlemen, I want to say we have reviewed and scrutinized the activities of this office as presented to you in this budget with that point of view in mind.

One of the most important factors in the estimates presented here is the economic program. We feel it represents the best interests of this country in our relations with the other American republics, first, from the point of view of the economic unity of the Americas; second, in support of the war-effort; and, third, in laying the foundations for the development of a close understanding between our countries for both their benefit and our benefit in the future years.

To bring this about we must maintain our relationships with the other 20 American republics.

Not only is it important to continue a program of information today so that the other Americas can understand and appreciate what the war means and its effect on them, but we have to continue and intensify our efforts in relation to the maintenance of their economic stability in the future. If their economic stability is threatened, if a man is starving and cannot get any food, then nothing you can say will maintain the economic and social stability which is essential to political stability.

Therefore, the activities that we carry on, whether in connection with transportation or economic development, we believe will tend to contribute toward the stability which is necessary in the prosecution of this war.

Perhaps our attention today is not focused as it was not many months ago, on the danger of invasion of the hemisphere. Perhaps there is a tendency to question what we did when circumstances were different.

We might use the analogy and say that if our impending invasion of Axis Europe turns out to be easier than anticipated, then some critics would say, why did we spend all this money in preparation when we could have succeeded with less? Why should we have used the taxpayer's money for any preparations which proved unnecessary.

Let us be realistic and recognize that from the other Americas come that support and those materials that will have to be secured if this war is carried through to a successful termination, and if the groundwork is to be laid for the effective and secure peace that we pray for.

Because of the fact that the war has moved away from us we are apt to lose sight of that fact in this country. It is easy to underestimate it and discount it. I would like to say that, in my opinion, we have never been faced with a more critical situation than we are today.

Latin America has contributed vitally to the war effort. It is the scene of numerous bases for the defense of the hemisphere. Some of the nations are maintaining submarine patrols of planes and ships and have sustained losses in these operations. Some 15,000 Latin Americans are serving in the United States Army. The Republic of Brazil now has a large, well-organized, armed force, which, in agreement with our military leaders, is being prepared for overseas duty. The American republics are a source of strategic and critical materials which are vital to the war effort and which could not be obtained in the types and quantities from any other source. These nations almost solidly are combating Axis propaganda, now driven underground, but nevertheless still in existence. They are doing their part in the face of great economic disturbance to meet their obligations as hemisphere partners in the war against Axis world domination.

The program provided for 1945 is a continuation of the activities carried on during the present fiscal year of information through the press, radio, and motion pictures, and the solution of special economic problems relating to industry, agriculture, and transportation.

Congress at the last session made provision for funds for a basic economy program with respect to health and sanitation. These funds have been turned over to the Institute of Inter-American Affairs, a corporate body, which in turn is making agreements with the other American republics, for continuing the program. These programs are cooperative efforts with contributions from the other republics and were instituted primarily to protect the health of our troops in those countries and to improve health conditions in such a way as to facilitate the production of strategic materials. The details of the program are found commencing on page 1006, hearings, part 1. No new funds are provided in the bill for this purpose. The 1944 bill contained a contract authorization of \$18,000,000 which has been utilized for this purpose and the accompanying bill contains \$4,000,000 for application on this authorization.

The sum of \$2,500,000 is carried as the second and final installment of a cooperative educational program with the other republics. At the last session, in the national war-agencies bill a cooperative education program was initiated at a total cost of \$5,000,000 and \$2,500,000 appropriated as the first installment. The present amount of \$2,500,000 is to complete that agreement. Each of the cooperating



Latin-American countries contributes to the effort which is carried on through the Inter-American Educational Foundation, a corporate body, created for that purpose. The details of this program are found commencing on page 981, hearings, part 1. Briefly, the program varies by countries but is generally confined to the training of teachers for English teaching, vocational education, literacy, and health education. Agreements have already been concluded with 10 republics for a 3-year program and it is contemplated that agreements with 10 other nations will be effected when the \$2,500,000 in this bill is available. German educational propaganda predominated in Latin America prior to the war. Nearly 900 Axis-sponsored and -subsidized schools existed at one time prior to the declaration of war in most of the countries, and of these nearly 700 were strictly German schools. It is estimated that the Hitler regime expended approximately \$6,000,000 in South America on these schools between 1933 and 1939 and that German colonies there spent another \$3,000,000. Most of these schools have been closed or converted to Portuguese language schools but the threat of Axis educational convalescence after the war is present and needs counteraction by the republics with United States' assistance.

The allowance by the committee of \$18,000,000 for the 1945 program includes the \$4,000,000 for the basic economy program, the \$2,500,000 for the educational program, leaving \$11,500,000 for all of the remainder of the informational and economic programs. The committee has made a decrease of \$1,174,000 in the budget estimate, which has the effect of enforcing some curtailments in these programs. The committee has not indicated where this should be done, leaving the distribution of the funds to the judgment of the Coordinator for application to the best advantage.

The committee was fortunate in having testimony from an American citizen, Mr. Horace Graham, vice president, Anglo-Chilean Nitrate Corporation, and president, Chilean Chamber of Commerce, who has lived for 33 years in various countries of South America. His interesting statement will be found commencing on page 914, part 1 of the hearings. One excerpt is a contribution to any consideration of appropriations for the Coordinator's office:

The CHAIRMAN. To what extent has the Office of the Coordinator of Inter-American Affairs been a factor in improving relations between us and Latin America?

Mr. GRAHAM. I think it has been a very important factor because it has put in organized status the effort of people who are specialists in their business. We as businessmen did not know the most effective and efficient way of doing it, and need the aid of the men who are specialists. I mean in such fields as the press and radio because after all they are sciences. People have to have special preparation and experience to handle this work. Through the Office of the Coordinator of Inter-American Affairs we have secured apparatus and machines, and so forth, and we have been able to put into effective channels things that I think are necessary. It has undoubtedly produced a very great effect in South America.

The committee desires also to call attention to the letter of Secretary of State Hull, with respect to the program on page 923 of part 1 of the hearings. The committee reemphasizes that this is a war agency and whatever portion of its functions should be determined in the future to be a part of the peacetime policy of the Government should be determined upon when the war ends and handled by some other permanent Government agency.

Our neighborly relations with Latin-America in peace and war are most important to them and to us. We are bound together at this time particularly by ties of common protection. We also have now a trade volume to these countries in excess of \$2,000,000,000. The present friendliness which has been so notably fostered by the Coordinator's Office is an omen of mutual helpfulness in the peace era.

#### OFFICE OF DEFENSE TRANSPORTATION

1944 appropriation.....	\$16, 650, 000
1945 Budget estimate.....	18, 811, 000
Committee recommendation for 1945.....	18, 000, 000
Committee recommendation exceeds 1944 funds.....	1, 350, 000
Committee recommendation less than Budget estimate.....	811, 000

The Office of Defense Transportation has the important task of coordinating and directing the essential rail, motor, and inland and intercoastal waterway transportation facilities of the Nation during wartime. A most severe strain has been placed upon these facilities by shortages of new equipment, vastly increased requirements, shortages of manpower, and other handicaps occasioned by wartime restrictions and inhibitions. With splendid support from the industry and good cooperation from the public generally the transportation facilities, strained as they have been, have met the task imposed upon them in the vast movements of troops, war munitions, war industry raw materials, and civilian requirements without any serious congestions or break-downs. It has been a commendable effort. The provisioning of our armed forces overseas and the shipments of lend-lease supplies have moved forward satisfactorily. The committee was advised that every week all previous records for the shipment of supplies through the port of New York for offshore shipments are being broken and the theoretical capacity of that port has been reached without serious congestion.

The situation with respect to rail transportation has about reached a plateau without substantial further increases in traffic except possibly west of the Mississippi River. The motor transport situation is not so promising. There are 4,636,000 property-carrying motor vehicles under the jurisdiction of the Office of Defense Transportation for direction as to their proper utilization and as to their requirements for motor fuel and tires. Replacement trucks are not procurable in necessary quantities and sufficient supplies of repair parts for medium and heavy trucks have not been obtainable. This situation is in prospect of alleviation to some extent in the third quarter of this calendar year.

The Budget estimate of \$18,811,000 contemplated an over-all increase in personnel of 289 of which 249 were requested in the Motor Transport Division. The committee has effected a decrease of \$811,000 which eliminates most of the amount for new positions, effects a decrease of \$135,000 in the estimate for travel, and will require some decrease in other estimated expenditures. The committee does not feel justified in recommending new personnel. Employment authorized for the fiscal year 1944 totaled 5,231 and the Budget Bureau ceiling of employment on March 31 was 4,935 with actual employment at 4,760, leaving 471 vacant positions or nearly 10 percent. It is the committee's belief that the funds provided will compensate all the personnel the O. D. T. will be able to recruit for these vacancies. If

the situation should change and the recruitment to meet actual needs is met, Congress can at that time be requested to review the situation if adequate functioning of the agency is affected.

#### NATIONAL WAR LABOR BOARD

1944 appropriation.....	\$14, 437, 300
1945 Budget estimate.....	15, 596, 000
Committee recommendation for 1945.....	15, 000, 000
Recommendation exceeds 1944 appropriation.....	562, 700
Recommendation less than Budget estimates.....	596, 000

The work of the National War Labor Board is practically on a current basis of handling its cases considering the intake and output of approximately 3,000 wage-adjustment cases and 125 dispute cases per week. The Board has a backlog of 16,000 voluntary wage-adjustment cases representing an arrearage of approximately 5 weeks' work and 2,300 dispute cases representing an arrearage of approximately 5 months' business. It is the opinion of the Board that with the present force, if there is no substantial increase in the rate of receipt of new cases, it can take care of its business currently arriving and cut down on the backlog of cases in arrears. It is the belief of the Board that voluntary wage-adjustment cases, now in arrears by 5 weeks, should not be more than 2 or 3 weeks behind to be a normal state of business and dispute cases, now in arrears 5 months, should not be more than 2 or 3 months in such state to represent normal.

The Board has an important part in connection with wage stabilization and the settlement of disputes. Since January 12, 1942, the Board has settled approximately 5,000 dispute cases and of these only 14 have had to be certified to the President for noncompliance. Cases only come to the Board if the parties are unable to agree or the Conciliation Service is unable to effect a settlement. Strikes in wartime should not occur but they do and the statistics furnished by the Board are illuminating as to the general extent and effect. These data (pp. 245 and 246, hearings, pt. 1) indicate that for the two full calendar years of the Board's jurisdiction, 1942 and 1943, there was an average of 3,359 strikes per war year compared with an average of 3,380 strikes per year for a 5-year pre-war period (1937-41), or a decrease of only 0.6 percent in the average war year compared with the average pre-war year. However, the number of man-days lost by strikes in the average pre-war year is 17,030,000 compared with 8,840,000 in the average war year, or a decrease of 48 percent below the peacetime average. These figures are not cited as a justification for strikes but as an indication of some measure of the work of the Board in adjusting disputes.

The basic policy of the Board and of the Executive orders issued under the Stabilization Act is to fix a general level of wages. Wages have been stabilized, according to data furnished by the Board, at substantially the general levels as of September 15, 1942. There is no doubt that the effect of the Board's operations has been a great contribution to the prevention of inflation spirals in wages. While stabilizing the general level of wages, the Board has been able to correct or prevent gross inequities in the same plant and as between plants and to correct wages which contribute to substandards of living.



The effect of the Board's action on the general wage level has been a general raising of the level by less than 2 percent. If all wage increases approved by the Board were divided into the total number of persons within the Board's jurisdiction, the average increase of wages has been a little in excess of 1 cent per hour per worker. Only one-half of 1 percent of the cases involving increases in wages have involved increases in prices.

The committee has been furnished, page 253 of the hearings, part 1, data with respect to the percentage changes in earnings in manufacturing industries for two 15-month periods—one before the Stabilization Act was passed and one after its passage. This chart shows that gross weekly earnings increased 27.6 percent in the 15-month period before the passage of the act and only 14.9 percent after the passage of the act, gross average hourly earnings increased 21.4 percent in the former period and 11.4 percent in the latter period, and straight-time average hourly earnings rose 16.1 percent in the former period and 8.5 percent in the latter period. In this connection it should also be borne in mind that the period following the passage of the act is a period of a much shorter supply of manpower than the period preceding the enactment of the act so that without restraints the percentage of rise would have been accordingly more accentuated.

The increase of \$562,700 over 1944 appropriations is due entirely to war overtime pay. In the fiscal year 1945 additional personnel was provided the Board and the slow rate of recruitment enabled the Board to absorb in that fiscal year a very large proportion of the cost of the war overtime pay. Personnel provided for 1945 shows a net decrease of 166 compared with the total authorized for 1944. The number employed on March 15 is 2,369 compared to an allowance of 2,337 man-years for the next year. In the reduction of \$596,000, the committee has curtailed the amount for travel, has not approved the proposed 50 percent increase in the number of complete inspections to be made by the Wage and Hour Division for the detection of violations, and believes that the Board can institute economies in other classifications of expenditure to enable it to function satisfactorily within the sum granted.

#### OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

1944 appropriations.....	\$135, 982, 500
1945 budget estimate.....	121, 135, 000
Committee recommendation for 1945.....	120, 000, 000
Recommendation less than 1944 appropriation.....	15, 982, 500
Recommendation less than 1945 estimates.....	1, 135, 000

Much of the important work of the committee is not subject to public discussion. Research is performed at the request of the Army, Navy, and Allied Governments with respect to weapons of war and medicine. The Office has been functioning since 1940 and in the period to March 31, 1944, has made 1,982 contracts with industrial and academic institutions with a dollar value of \$292,000,000 for the performance of research on specifically directed problems. A total of 951 of these contracts have been terminated and 1,031 are still in force. As a result of these contracts some 200 separate items have proceeded to the point of procurement or use by the armed services and procurement orders placed as a result of them approximate \$2,000,000,000.

The committee calls attention to the prepared statement of Dr. Bush, Director of the Office of Scientific Research and Development, commencing on page 405 of part 1 of the hearings, in which he recounts a few of the important developments which the Office has contributed to the war effort. Among these are the DUKW (the amphibious truck), the equipment for airplanes for use in bombing through dense clouds, the bazooka and other types of rockets and rocket bombs, devices for the calculation of damage done by bombing, improved methods of submarine detection and destruction, the electrical gun director for antiaircraft, development of techniques in the manufacture of a new explosive which greatly reduced its cost, a portable field cook stove using a lightless fuel, and a number of important developments in the field of medicine.

A new unit of the Office has been established during the present year, headed by Dr. Karl T. Compton, of Massachusetts Institute of Technology, to assist the armed services in field operations in the use of new devices, to improve the techniques in the operation of weapons, and to analyze enemy weapons and techniques.

Research has made and is making an important contribution to the success of the armed services. This is a war in which scientific devices and mechanical equipment have reached their greatest employment. It is a struggle in which the scientific and technical capacities, the industrial output, and the trained forces to use their products, are pitted against each other. When the record of the war is written the accomplishments of the Office of Scientific Research and Development will be found to have been of significant assistance to the armed forces of our own country and the United Nations.

## OFFICE OF WAR INFORMATION

1944 appropriation.....	\$38, 222, 504
1945 Budget estimate.....	64, 390, 000
Committee recommendation for 1945.....	58, 625, 367
Recommendation exceeds 1944 appropriations.....	20, 402, 863
Recommendation less than Budget estimates.....	5, 764, 633

The Office of War Information is strictly a war agency engaged in minor degree in connection with war informational activities on the home front and extensively and in major part in psychological warfare and propaganda activities on the foreign front. In this latter effort it is a supplement to, and, in large part, integrated with the operations of the military and subject to their directives. It seems hardly necessary to repeat the value of propaganda and psychological warfare as an adjunct to purely military operations. Such methods have been employed throughout the history of wars and the Nation which does not use them is as much at disadvantage in waging its war as though it were short of men and weapons. The enemies we are fighting in this war are past masters in the employment of propaganda. They started long before the war to deceive, intimidate, and weaken the peoples they sought to conquer and destroy, and their success in conquest was due in no small degree to their unscrupulous propaganda and psychological methods. They are still at it on a broad scale, seeking to poison the minds of peoples in occupied and neutral countries as to the war aims of the United Nations, the alleged weaknesses and impotence of the democracies, and the might and ultimate success of the so-called master races.

The Nazis and Japanese are following the same pattern but the latter with not so much skill or resources as the Nazis but still effectively. The Nazis have skillfully endeavored to picture the people of the United States and our institutions as those of a soft, decadent, pleasure-loving nation. They circulate literature and pictures which are misrepresentative of what America stands for. They employ the radio, motion pictures, publications, and the lavish use of money to carry on this deception in the neutral and occupied countries. Their facilities are expansive and the amounts they expend for propaganda and psychological warfare are fantastic compared to those of the United Nations. The London Economist recently placed the German figure of expenditure for these purposes at \$540,000,000 a year. The German Government owns or directly controls every newspaper published in Germany and the entire German radio system is operated by the German Government. Those who are interested in obtaining more complete details of the methods and resources of propaganda utilized by the enemy will find an informative and interesting memorandum on the subject commencing on page 30, part 2, of the hearings.

The Office of War Information is the instrumentality of the United States, the "voice of America," to tell to the people of the world the truth about this war, our part in it, the power of the United States, to convince the German and Japanese people that their defeat is certain, to encourage the people in occupied countries to continue their resistance, and to convince enemy soldiers through leaflets and otherwise that continued resistance is futile, and to induce them to surrender.

The great proportion of this work is directly and indirectly a supplement to the military operations. Military men participate on the work of the committee which weekly prepares the directives governing the issuance of propaganda by the Overseas Branch. In the psychological warfare operations in the field, the operations of Office of War Information are directly integrated with the operations of the military and subject to the immediate control and jurisdiction of the respective theater commanders. If the theater commander is an officer of the United States Army he has as a part of his forces the personnel of the Office of War Information, and the Office of Strategic Services and their counterpart organizations and personnel from the British forces. If the theater commander is a British general, the same situation exists.

The New York Times, in a recent editorial, stated: "The Nazis have to be beaten on two fronts, on the military front and on the propaganda front." The Office of War Information is the agency of the United States authorized to conduct propaganda against the enemy. If it is to succeed it needs to be implemented adequately with the personnel and material for that task. It needs to do this with news, broadcasts, leaflets, pamphlets, motion pictures, posters, and every material suitable and proper to influence the people abroad. It must be done incessantly, intelligently, and truthfully.

The Office of War Information requested a large budget for the fiscal year 1945, which, all hope and believe, will be the crucial year of the war. With the exception of a very small amount, the entire increase is asked for the operations of the Overseas Branch and spe-



fically for the Outpost Service. The invasion of Europe is an impending event and these additional amounts for the Office of War Information are funds required for the support that is needed for the propaganda and psychological warfare to aid in military operations.

The total amount recommended for the next fiscal year is \$58,625,504, which is a net increase of \$20,402,863 resulting from a decrease of \$502,444 in funds for the Domestic Branch, an increase of \$20,676,031 for the Overseas Branch, and an increase of \$229,276 for the Administrative Branch.

The committee has made a decrease of \$5,764,633 in the Budget estimates. This amount consists of \$264,633 in the Domestic Branch, \$1,000,000 in the specific allotment to the Overseas Branch, and \$4,500,000 in the contingency fund for allocation, when approved by the President, to the Overseas Branch in conjunction with actual or projected military activities. The contingency fund was requested in the sum of \$10,000,000 for the entire fiscal year and has been allowed in the amount of \$5,500,000, a sum which the committee believes adequate considering the fact that Congress will be available for further consultation as the fiscal year progresses if unforeseen needs develop. The decrease of \$1,000,000 in the amount for the Overseas Branch is not specifically applied, the distribution of the cut being left to administrative determination. The reduction in the Domestic Branch is discussed later in this report.

Aside from \$229,276 in administrative expenses, the entire increase of \$20,402,863 is for the psychological warfare and propaganda work of the Overseas Branch of which \$5,500,000 is for a contingency fund for use in connection with projected or actual military operations.

The major part of the increase is for the Outpost Service now maintained at 20 major offices and 18 branches in 22 countries of the world scattered from Sweden to Australia. They are the focal points from which is distributed much of the material of the O. W. I. which is prepared, directed, and sent from the United States, as well as conducting local informational activity. Most of these centers are engaged in psychological warfare in some form. Those which work directly under the Army on psychological warfare are at London, Algiers, New Delhi, and Sydney, and at Honolulu with the Navy. At other outposts, psychological warfare constitutes a large part of their activities, such as Stockholm, Bern, Madrid, Lisbon, and Istanbul, because they are on the perimeter of Europe and are in a position constantly to see that material goes into occupied and enemy countries.

The increase for the Outpost Service and the contingency fund are for this type of psychological warfare operation. Provision is made for the establishment of 35 new outposts at the direction of the military authorities. These additional funds are for the establishment of new outposts in Europe and the extension of psychological warfare activities in the China-Burma-India theaters. The London office of the Office of War Information has received specific instructions from the Army, covering some 500 pages, approved in detail by the Combined Chiefs of Staff, and providing for the establishment of outposts at 27 points in Europe and the Balkan area following invasion activities. The funds for these are included in the bill.

The committee has expended a considerable amount of time in examination of the activities and operations of the Office of War Information. Five days were given to the testimony and cross-examination of Director Davis and his assistants. The printed testimony takes up 333 pages of part 2 of the hearings. The committee invites each Member of the House to examine these comprehensive statements. Mr. Davis' statement commences on page 2; the statement of Mr. Robert Sherwood, Director of the Overseas Branch, commences on page 68; the statement of Mr. Edward W. Barrett, Executive Director of the Overseas Branch, commences on page 71; and Mr. Owen Lattimore, Deputy Director, Overseas Branch, in charge of Pacific operations at San Francisco, on page 170.

Committee investigators were sent prior to the hearings to the New York and Washington offices and to the training school on Long Island to obtain information for use in the hearings. Members of the subcommittee preparing this bill personally went to New York and went through the Overseas Branch operations in that city. They listened to broadcasts, talked with executives and employees, examined the preparation of scripts for broadcasts, inquired into the preparation of publications and material for distribution abroad, witnessed a remarkable motion picture that has just been completed at request of the Army for use in one of the liberated areas, and examined such confidential directives and other material as could be crowded into one day of investigation.

The subcommittee found the New York office functioning 24 hours a day, 7 days a week, and its personnel enthusiastic and highly interested in the work they are doing. This finding is also corroborated by the report of committee investigators who previously had visited these offices. It is regretted that the subcommittee did not have an opportunity to visit the Pacific Branch at San Francisco, headed by Mr. Owen Lattimore, formerly personal political advisor to General Chiang Kai-shek. His interesting testimony on the organization, direction, and correlation with the Army and Navy as to propaganda and psychological warfare in the Pacific, commences on page 170 of the hearings. The Pacific office is also on a 7-day, 24-hour schedule. From New York and San Francisco offices, the Office of War Information employs 28 radio transmitters. From these stations go approximately 3,500 radio programs a week; 2,650 from New York and 875 from San Francisco. On a daily basis this means approximately 380 from New York and 125 from San Francisco. From New York the programs are divided into 22 basic languages depending upon the direction of the program and from San Francisco into 10 basic languages and 13 dialects. United States station operations are also carried on from ABSI, a new station in Great Britain, and from stations in north Africa and Italy. The United States will operate 36 transmitters in the next fiscal year compared with more than 60 of the Germans and 46 of the Japanese. The combined number of United States and United Kingdom transmitters is less than the combined number of stations of the enemy.

The committee believes that the Office of War Information is making a valuable contribution to the war effort of the United States and in direct aid of the military operations. It bases this belief not only on its own examinations but on the testimony of men competent to judge and whose responsibility in connection with the war effort enables



them to speak with authority. These expressions come from our representatives in the military and the diplomatic field.

A letter from the Secretary of State, Hon. Cordell Hull, appears on page 20 of the hearings. On pages 78 and 79 are communications from Ambassadors Winant in London, Ambassador Harriman in Moscow, and Mr. Merrell, Acting Chief of the United States Mission at New Delhi, India.

The committee, in connection with its previous hearings and reports on appropriations for the Office of War Information, has printed letters from military leaders as to its usefulness. These are in House Report 852 of this Congress, on the first supplemental national defense appropriation bill, 1944, and came from General Marshall, Lt. Gen. George S. Patton, Lt. Gen. Jacob S. Devers, and Maj. Gen. Lewis H. Brereton. In the present hearings, on page 79, is a message from Maj. Gen. T. G. Hearn, Chief of Staff to Lieutenant General Stilwell of the China-Burma-India Command. Last session the committee also had before them Brig. Gen. Robert A. McClure, now on General Eisenhower's staff in charge of psychological warfare. His testimony will be found commencing at page 1251 of the hearings on the first supplemental national defense appropriation bill, 1944.

Last summer a committee of five United States Senators visited the battle areas of the world where United States activities were being carried on. In November, following their return, Senators Mead and Brewster appeared before the Committee on Appropriations of the United States Senate, to inform that committee of the work of the Office of War Information in the foreign propaganda field which had come under their observation. Their testimony is found commencing on page 344 of the Senate hearings on the first supplemental national defense appropriation bill, 1944. Their observations were complimentary to the work of the agency and Senator Mead in response to a direct question as to whether it was being overdone replied "In my judgment it is too thinly spread about."

The committee has not relied entirely upon these various judgments, upon its own visit, nor upon the testimony of the officials of the Office of War Information. Chairman Cannon, prior to the preparation of this bill, addressed a letter to General Marshall, Chief of Staff, citing the fact that both the Office of Strategic Services and the Office of War Information had requested increased sums for the fiscal year 1945 for operations in the foreign field and had based these increases upon enlarged and continuing activities in connection with military operations. General Marshall was asked to express an opinion as to the part of these organizations in connection with military operations and also as to whether it was desired to have their work continued in civilian status or transferred to the military arm. He was further requested, if he felt it necessary, to contact the commanders in the various theaters of operations on these points.

A confidential answer has been received from Lt. Gen. Joseph T. McNarney, Deputy Chief of Staff, replying in the temporary absence of General Marshall. His letter includes the confidential comments from the theater commanders who were contacted. These comments indicate increased and important use to be made in military operations of both organizations. The committee, with special permission, can quote the two concluding paragraphs of General McNarney's letter:

The War Department believes that both the Office of War Information and the Office of Strategic Services are performing essential functions overseas. Approved

plans do call for increased activity on the part of both of these organizations, and as military operations expand, it is to be expected that their work will increase.

No further militarization of the Office of Strategic Services and the Office of War Information is planned. As you know, the Army is finding it difficult to remain under the present manpower ceiling of 7,700,000 men and still furnish all military personnel and units required for planned operations. Because of our manpower limitations, it is mandatory that the Office of Strategic Services and the Office of War Information be manned so far as possible by civilians.

The Domestic Branch of the Office of War Information is recommended to receive \$2,200,000, which is \$502,000 less than the 1944 funds and \$264,633 less than the Budget estimates. The new director, Mr. George Healy, Jr., is an experienced newspaperman, formerly vice president and treasurer and managing editor of the Times-Picayune Publishing Co., of New Orleans, and on leave from his paper for work with the O. W. I. for the duration.

The part of the Domestic Branch is clearly stated by the following excerpt from Mr. Healy's statement, found in full commencing on page 241:

The Domestic Branch plays the part of a service institution in getting information about home-front needs to the American people. Charged with responsibility for their information policies, Office of War Information works with Army, Navy, and the civilian agencies as counselor and colleague. On the other hand, it provides a welcome service to newspapers, radio, magazines, and other mediums of public expression which carry information about home-front needs to the people. These privately operated channels depend on the Domestic Branch of Office of War Information to tell them what home-front needs require greatest attention.

May I call to your attention the booklets which you have before you? Page 2 of your booklets asserts that "a well-informed public is America's greatest security. The Office of War Information is dedicated to that practical ideal."

Office of War Information serves as a coordinating and liaison agency doing four basic jobs.

On page 3 we place our No. 1 job: Getting out the war news to the American people. This includes home-front information as well as battle-front information.

In reality, what we seek to do is to see that the established news-gathering agencies have an opportunity to present a clear and accurate picture of the war's progress. Mr. Davis and I consider ourselves advocates for the people in obtaining prompt release by the War and Navy Departments of all the news which will not endanger American lives or jeopardize the American cause. Daily conferences in the Director's office and frequent consultations at the Pentagon and Navy buildings are part of this procedure.

The Branch Director and O. W. I. deputy directors follow a similar procedure to obtain prompt release of adequate home-front news by the several civilian war agencies. Developments deserving public attention frequently involve two or more agencies, and O. W. I. tries to see that this overlapping does not result in agencies escaping responsibility for keeping the public informed.

The respective deputy directors are assigned to specified war agencies and are responsible for supervision of the information programs of those agencies. Periodically the information officers of the agencies themselves meet in the O. W. I. conference room to discuss their joint and separate problems. When a development is impending which might concern several agencies, an O. W. I. deputy takes precautions to insure that responsibility for releasing information concerning this development is accepted by the proper agency.

In addition to serving the various agencies as information consultants, the deputies assist in the conduct of special war information programs concerning the agencies to which they are assigned.

Our task No. 2 is: "Eliminating confusion by coordinating news from all Government war agencies."

No matter how carefully worded an official release by one agency may be, there is a possibility that this announcement will go beyond the functions of the issuing agency and refer to the practices or policies of some other agency. O. W. I. gives the second agency an opportunity to say whether references to it are accurate. There are cases also where a release by one agency concerns a problem which

affects several other agencies whose expressions should be published with that of the first agency if the public is to have a clear picture of the whole problem.

Job No. 3 of this Branch is: "Enlisting public support of measures deemed essential to the prosecution of the war, such as avoidance of careless talk, waste-paper salvage, staying on the job, and Victory garden planting."

Under the philosophy outlined by Congress for this Branch, our responsibility is discharged when we make available to established publishers, broadcasters, picture producers, billboard owners, advertisers, or other regular channels of expression information about war needs. We supply the various mediums with facts obtained from official sources concerning the urgency of war needs. How they handle these facts is their decision. It is my opinion that all of these private institutions are serving patriotically and well as avenues through which Office of War Information informs the people of things they can do to help the war effort.

Our fourth task is: "The clearance of all speeches and statements by policy-making officials in the executive branch. Also clearance of Government printed material of an informational nature."

In connection with the latter responsibility, Office of War Information has "killed hundreds of publications and thousands of propaganda items of the type Congress wishes eliminated." If you will turn the page you will see that this quotation is from the Report on the Reproduction and Distribution of Printed Matter for Executive Agencies to and at the request of the Bureau of the Budget submitted by the Printing and Distribution Control Branch of the War Production Board on March 25, 1944.

In discharging this fourth responsibility we promote conservation by eliminating duplication and waste of printed material and prevent confusion by clearing the public speeches and magazine articles by officials in the executive branch. In this instance, clearance means checking for accuracy with other officials whose policies or practices might be involved.

The Domestic Branch has been operating within the philosophy prescribed by Congress in connection with the drastic reductions that were made in the appropriations for this fiscal year. The current appropriation of \$2,702,444 provided funds for liquidation of the more extensive operations that were under way and \$295,335 will have been obligated for that purpose, leaving a total of \$2,407,109 for other operating expenses in 1944. The Budget estimate of \$2,464,633 provided an increase of \$57,524 represented by overtime pay absorbed in the fiscal year 1944. The committee has provided \$2,200,000, which is \$204,107 less than the 1944 funds, exclusive of liquidation funds, and \$264,633 less than the Budget estimates. In making this decrease the committee has eliminated the Surveys Division of the Special Services Bureau (\$61,000) and a contract item (\$43,500) for sampling polls of the effect of domestic programs. The committee believes that these may be desirable but are not a necessity. With the home front better organized and the requirements for citizen cooperation with programs more clearly established, the committee feels that as the fiscal year 1945 progresses the Domestic Branch will be able to apply the remainder of this cut without impairment of the war effort.

The Domestic Branch is fulfilling an important function as now organized and conducted and the committee is glad to report to the House that its action at the last session has had a beneficial effect and an improved service from the Office of War Information on the home front.

#### OFFICE OF WAR MOBILIZATION

1944 appropriation.....	\$138, 000
1945 Budget estimate.....	900, 000
Committee recommendation for 1945.....	900, 000



The Office of War Mobilization is granted the Budget estimate of \$900,000. This sum represents a slight increase over the amount for the current year for the regular operations of that Office, and in addition makes provision for two new administrations established early this calendar year by Executive order of the President.

The division of the amount for 1945 is as follows:

Office of War Mobilization.....	\$140, 000
Retraining and Reemployment Administration.....	300, 000
Surplus War Property Administration.....	460, 000

The Retraining and Reemployment Administration was established by Executive Order 9427, of February 24, 1944, and the Surplus War Property Administration was created by Executive Order 9425, of February 19, 1944. Each of these is a coordinating agency engaged in problems growing out of the war which primarily concern the period immediately following the cessation of hostilities in either the European or Pacific area. Both of these problems require ultimate legislation for the determination of policy and procedures. The imminence of the problems, already occurring in some minor degree, necessitated the formation of agencies to study the extent and scope of policy and to lay the basis for expeditious action when legislation is had.

The Retraining and Reemployment Administration is headed by Brig. Gen. Frank T. Hines, Administrator of Veterans' Affairs. There are at the present time approximately 61,500,000 persons employed or in the armed forces. The cessation of the war will bring the stupendous problem of reemploying those from the armed forces, the training of those who need training for a new vocation, the resumption of interrupted education, the reemployment of those released from war industry, and the complications in that respect caused by the geographical migrations that have taken place, and related problems. Our national output has jumped from \$97,000,000,000 in 1940 to approximately \$200,000,000,000 in 1944. Employment has increased 175 percent since 1939. The readjustment of this expanded production and employment to a peace basis is of the highest importance to our future domestic welfare and the \$300,000 which is recommended for preliminary work by General Hines is a modest sum. Active work will be performed by the agencies of Government concerned with specific programs over which they have direct jurisdiction: Department of Labor, Federal Security Agency, War Manpower Commission, Selective Service System, Veterans' Administration, Civil Service Commission, War Department, Navy Department, and the War Production Board. The function of the Administration will be to coordinate the work of these agencies, to develop programs for reemployment and training in consultation with them, and to develop with them programs for the care of persons discharged or released from the armed forces.

The Surplus War Property Administration, of which Mr. W. L. Clayton is Administrator, was created to have general supervision and direction of the handling and disposition of surplus war property and the transfer of such property from one Government agency to another. At the close of the war the United States will undoubtedly have the largest inventory of surplus property the world has ever seen. Its orderly liquidation and disposal will have an important bearing upon valuable assets of the Government and the immediate future of

the industrial fabric of the country. Thus far little has been declared surplus but it is necessary to make preparations by the assembly of uniform inventory, locations, etc., to be prepared when the surplus occurs. The determination of "surplus" lies with the holding agency, subject to the authority of the Office of War Mobilization. Administrator Clayton frankly told the committee that the needs of his organization for the coming fiscal year were speculative but the magnitude of the approaching problem requires prudent preparation for action when the time comes. There are no presently assembled inventory figures of property here and abroad that would be useful at this time. Surpluses will not be known until the war ceases and the armed services canvass their own requirements for future use. It is known, for example, that the Government owns approximately \$16,000,000,000 worth of plants, equipment, and machine tools. The committee was advised that if the war lasted to the end of the year that the Army and Navy may have as many as 100,000 surplus airplanes. Preparation for surplus disposal, pending legislation, is highly important and much valuable time can be gained. The committee feels that the amount of \$460,000 for preliminary work is a comparatively small sum for initiating the preliminary studies.

#### WAR PRODUCTION BOARD

1944 appropriations.....	\$89,267,720
1945 Budget estimates.....	69,894,000
Committee recommendation for 1945.....	67,500,000
Recommendation less than 1944 appropriation.....	21,767,720
Recommendation less than 1945 Budget estimates.....	2,394,000

The peak of the work of the War Production Board in terms of money and personnel passed with the conversion of industry to a war basis. The responsibility of the Board now is to keep our national economy in balance between military and civilian needs and to continue to provide those things which the military need for the prosecution of the war and to prepare for reconversion. American production has been one of the outstanding achievements of this war and the War Production Board has had a most creditable part in that achievement. Chairman Nelson reviewed for the committee the production program. His statement will be found in full commencing on page 602, part 1, of the hearings. The following excerpt is pertinent to the current program and the outlook for the next year:

Now the job as we see it for the year 1945 is going to be one of extreme complexity, as we see the picture. It will still be one of war production, and I am not trying to make any assumptions as to when the war will end, because to make such assumption would be to nullify the things that we have been putting into this, to anticipate what our difficulties are going to be.

We are now working, beginning to think about the problems of adjustment of these programs. We are taking that up with members of industry; we are having meetings with them. This morning, just to tell you what we are doing, there is a meeting with the automobile industry being held, at which they will discuss what they think will be needed in order that they can get back into the production of automobiles when that day comes. We do not anticipate production of automobiles for some time, certainly not until the German phase is over, and even then we do not know that we will be able to go into large scale automobile production, because the items needed to produce automobiles are components of aircraft, landing craft, and so on, in almost every program we have.

So, until there is a reduction in production which is much greater than we see at the present time, we cannot go back into automobile production. However,

what we are attempting to do is to be sure that we have not overlooked any of the things that will enable them to get back just as quickly as possible in order to take up any slack in employment with any reduction in the military program which comes about as a result of the fortunes of war.

I would not want to be quoted as saying we were converting from peace to war; we want to do it as quickly as we can, and we cannot do it without thinking through many problems that are going to break into what we are doing. We are trying to think of just as many of those problems as we possibly can, affecting the conversion of this war economy back to civilian, from war to peace economy. We will have before long some charts, some guide posts, and the one thought in my mind is to do it in the public interest rather than in the interest of any one group. We feel this should be continued with the fullest cooperation possible with the Congress as our board of directors, and with the public—they certainly should know what we are trying to do, and certainly we are delighted to talk over with you gentlemen anything we have in mind about what we are going to do in presenting ideas which are purely tentative. But we think the big job in the fiscal year 1945—one of the things we are preparing for in our thinking—is the conversion of war economy into peacetime economy, at least partially, and to what extent I am not able to tell you.

In general I know you would be interested to know that the war production is going along in good shape, excellent shape. The programs are very close to schedule; in some cases very slightly below and in some cases very slightly above. The aircraft-production program is coming along splendidly. That, as you recall, was one of our headaches when we were before you the last time, the necessity for getting these big bombers built just as quickly as we could complete the necessary production, and I do not believe that any one estimated at that time we could produce as many as we have produced. For instance, last month, we have built about 9,300 planes, but that figure does not even tell what the production program has been. We are building much bigger and more complex aircraft than we were producing at this time last year, when we appeared before you.

With regard to landing craft: Of course we are trying to push that, as we have been doing for some time; it is a very important piece of war material for invasion, either in Europe or in the Pacific. The program for this year was stepped up slightly more in the past month, more than we have had before. The aircraft program increase in weight production necessary to be produced until after the European phase of the war is over—just how long the landing-craft program will continue, of course, will depend entirely on the needs of the Chiefs of Staff.

There is one phase of the civilian program that I should go into and which has not gone as well as I would like it to have gone, and that is with regard to farm machinery, because I regard farm machinery just as important as any other part of our military program. I frankly said when we were considering it down here that when it came to the question of landing craft or aircraft we had to put them ahead of farm machinery, because landing craft was absolutely needed and the increased production of aircraft was also needed to save our men's lives. While I know the importance of farm machinery, and its importance to all of your constituents, it seems to me that we had to do the best we could with it.

Tractors are coming along excellently; we are producing about 5,000 tractors a week; we are slightly under the production program, a little under our schedule. On some of the tillage tools, we do not think are in as good shape, due to the effect of the manpower situation in those critical areas, but as soon as any of these programs begin to slow up—that were going along very nicely in February—as soon as they begin to slow up, we try to work out a balance, try to work out the bottlenecks with the manpower situation, and I am convinced that we will do a great deal better in the near future than we did in the month of March. I am not at all satisfied with our record on farm machinery in the month of March.

Other than that I do not know of a single program for which we would make any apology to you gentlemen, or to the military service or to anyone else.

Those who are interested will find a separation of national production figures in dollars between war and nonwar output. This table will be found on page 635, part 1 of the hearings. It shows in total that our national output in the calendar year 1940 was \$97,000,000,000 divided between \$3,000,000,000 for war and \$94,000,000,000 for nonwar. By 1942 the total had risen to \$152,000,000,000 divided between \$52,000,000,000 for war output and \$100,000,000,000 for nonwar output. The estimate for 1944 is a total output of \$200,000,000,000 divided: \$92,000,000,000 war output and \$108,000,000,000 nonwar



output. There is a slight rise from the estimated figures for 1943 to the estimated figures for 1944 in both war and nonwar output. These figures are illustrative of what has taken place in the national economy on account of the war. From 1940 to 1944, the total output has more than doubled—\$97,000,000,000 to \$200,000,000,000. The war output has risen from \$3,000,000,000 to \$92,000,000,000 or nearly 31 times what it was in 1940, while the nonwar output has risen from \$94,000,000,000 to an estimated \$108,000,000,000, an increase of \$14,000,000,000 or about 15 percent.

The committee is pleased that the functions of the Board are carried on with a fine consideration of the need for good internal administrative management. The Board has an organization which is continuously engaged in seeking better methods of transacting its own business, in eliminating unnecessary personnel, in bringing about economies in other operating expenses, and these efforts are commendably sustained by Chairman Nelson who has taken a personal interest in that direction notwithstanding his tremendous responsibility and burdens in all of the affairs in which the Board is engaged. Committee investigators were sent to the Board offices and their report is commendatory and indicative of these accomplishments. Those criticisms which investigators reported to the committee have been called to Chairman Nelson's attention and corrections will be effected. They were all of comparatively minor character.

The amount appropriated for the fiscal year 1944 is \$89,267,720. Of this sum, there will be obligated in the present fiscal year less than \$84,000,000, so that there will be an unobligated balance this year exceeding \$5,000,000 and the obligated funds will include more than \$8,500,000 of war overtime pay which has been absorbed so that the affairs of the Board in fiscal 1944 will be conducted at more than \$14,000,000 less than was anticipated when the appropriations for that year were formulated.

The peak of personnel of the Board during the period of conversion of industry to a war basis and the establishment of new plants was 22,900. This number has been successively reduced as follows: June 30, 1943, 18,476; December 31, 1943, 16,996; March 31, 1944, 16,327; and the estimated employment as of June 30, 1945, assuming continuance of the war, is 12,586; this will constitute a reduction from the peak of more than 10,000. In making the decrease of \$2,394,000 the committee has specifically eliminated the item of \$10,000 for the conduct of production clinics and has reduced the amount for research from \$6,000,000 to \$4,500,000. Distribution of the remainder of the decrease is left to administration application and the committee believes this can be accomplished through a continuance of the policies of administrative economy which have been instituted.

The committee has fixed the salaries of six vice chairmen or other principal officials of the Board at \$10,000. Five of these are now at \$8,000 and one is at \$9,000. Four of the vice chairmen are serving at \$1 a year and will continue at that rate. Considering their responsibilities and the caliber of the men who have given up their businesses to serve the Government in this emergency, the committee feels that the increases are justified. While they serve in subordinate capacity in the Board each of them has responsibilities in excess of many Government officials in other positions who receive a salary of \$10,000. The names of these men and their positions are found on page 648 of the hearings.

## SMALLER WAR PLANTS CORPORATION

1944 limitation for administrative expenses.....	\$12,006,000
1945 Budget estimate for administrative expenses.....	10,448,536
Committee recommendation for 1945.....	10,000,000
Recommendation less than 1944 limitation.....	2,006,000
Recommendation less than 1945 Budget estimate.....	448,536

The Smaller War Plants Corporation was created by the act of July 11, 1942, to provide assistance to small business in connection with war contracts. The life of the Corporation is limited to July 1, 1945, except for liquidation purposes, unless extended by law.

The Corporation has a Board of Directors, whose Chairman is a Vice Chairman of the War Production Board and General Manager of the Corporation. It has had successive changes in general management since it was created and has gone through various reorganizations and changes in direction and control.

The purpose of the act is to secure for small plants a larger share in the Government's war business. There is no doubt that the act has been instrumental in accomplishing that purpose although it cannot be conclusively said that all of the attention received by small business has been due to the activities of the Corporation. The principal procurement agencies of the Government—the War Department, the Navy Department, the Maritime Commission, and the Procurement Division of the Treasury Department—have been active in assisting small business on their own initiative and have also cooperated with the Corporation in its efforts to assist small business. There is no doubt that small business has been benefited by the operations of the Corporation to an extensive degree and has likewise been encouraged and materially helped by the procurement agencies through the stimulation of the act and their desire to aid small business and also to get their procurements expedited.

Small plants are identified as those which have less than \$2,500,000 production annually. There is an estimated 180,000 of these representing 98 percent of the manufacturing industries. It is estimated that these have approximately 30 percent of the war contracts and the 2 percent of large plants have the other 70 percent. As of March 15 only 20,689 of these small plants had registered with the Corporation for assistance. The rate of registration is increasing at the present and it is estimated, if the progress continues, that 37,000 of them, or about 20 percent, would be registered by June 30 next.

From July 1, 1943, to February 29, 1944, a period of 8 months, prime and subcontracts placed with small business designated by the Corporation aggregated \$1,133,000,000 and the estimate for the entire fiscal year predicated on that rate is \$1,600,000,000. Chairman Maverick predicts that the Corporation will assist small business in this respect in the coming fiscal year in the amount of \$2,000,000,000.

The Corporation assists small business in four ways: (1) Taking prime contracts and reletting them to small business subcontractors; (2) securing prime and subcontracts for small business; (3) making loans and leases for small business; and (4) rendering technical and advisory assistance to small business.

The Corporation operates with a capital stock of \$150,000,000. This is used for administrative expenses and for the making of loans. As of March 31 a total of \$98,126,425 had been approved for 1,627 loans and leases, which, eliminating duplications, represented 1,269

small concerns. Two-thirds of the loans and leases are for amounts less than \$25,000. The Corporation had a balance uncommitted, as of March 31, for the making of loans and leases, of \$66,347,423.31. Repayments of principal and payments of interest have been good. Losses thus far have been extremely small.

The amount allowed for the coming fiscal year for administrative expenses is \$10,000,000. The current funds provided for 1,593 man-years of employment and the Budget estimate calls for 1,937 man-years. Employment as of March 31 was 1,628. The increase in personnel provided for over that level is just in excess of 300. The reduction of \$448,536 is represented by decreases in the amounts estimated for the cost of closures of loans, technical services of engineering firms, and printing. The amount estimated for expenses of closures of loans is \$525,000 based on 350 per month and the current rate of closures is 230. The committee doubts that the rate will be more than 300, if it reaches that figure. The amount estimated for engineering services is \$750,000 and this is placed by the committee at \$500,000. Actual expenditures for this purpose in the first 9 months of the present fiscal year are approximately \$30,000. The amount estimated for printing and binding is \$100,000 and expenditures for 1944 are estimated at \$30,000.

The committee is convinced that the functions of the Corporation under the aggressive program of leadership of Chairman Maverick can be conducted within the amount allowed. He has brought energy, enthusiasm, and confidence to small business through his conduct of the affairs of the Corporation in the short time he has been there.

#### WAR SHIPPING ADMINISTRATION

1944 appropriations.....	\$2, 272, 350, 000
1945 Budget estimates.....	550, 350, 000
Committee recommendations for 1945.....	530, 350, 000
Recommendation less than 1944 funds.....	1, 742, 000, 000
Recommendation less than 1945 estimates.....	20, 000, 000

The War Shipping Administration is operating and directing the largest fleet of cargo vessels ever assembled by any nation. It is operating from all important ports of the United States and to and from more than 50 foreign ports all over the world in the interest of the prosecution of the war and the maintenance of our war effort and civilian economy. With the cooperation of the steamship industry a commendable record has been made. The needs of the Army and Navy and the United Nations have been supplied and no essential military cargo has been left on piers for the lack of ships. Conditions of operation have been difficult and subject to trying war conditions. Routes range from the icy voyage to Murmansk to the torrid sailings of the Southwest Pacific. Many of the voyages are made under the frequent danger of attack of enemy submarines and airplanes. Thanks to the splendid convoy system of the Allied navies these dangers are being reduced and an increasing percentage of cargoes is going through to destination. The need for cargo ships is constantly increasing. Military needs are mounting and in spite of the increasing size of the fleet there is demand for more ships which will continue over the coming months.

The total cargo shipped from United States ports in 1943 was 46,971,000 tons. Of this amount, 36,596,000 tons went in United



States ships and of this 96 percent, or 35,312,000 tons, was carried in ships under the direction of the War Shipping Administration and 1,284,000 tons, or 4 percent, in vessels operated by the Army and Navy. Fifty percent of the cargo carried in War Shipping Administration vessels was for the Army and Navy.

The operations for the fiscal year 1945 are on a stupendous scale. The average active inventory of vessels operated during this fiscal year is 3,138 with a total tonnage of 30,311,000. These figures will be increased for the fiscal year 1945 to a total of 4,209 vessels with a total tonnage of 43,000,000. The increase in the number of vessels is 33 percent and the increase in the average tonnage is 43 percent.

Every American can view the program of merchant-ship construction and operation with patriotic pride. Both rank high among the outstanding accomplishments of the war. The theaters of the war are far from our own shores. The transportation of our armies and their supplies and the shipment of supplies to our fighting allies all over the world has been and still is a Herculean task. Its magnitude is almost incapable of visualization or conception but the job is being done and great credit is due to Admiral Land and his associates who are doing the planning and directing, to the shipping industry which is fully cooperating, to the courageous seagoing force which is operating the fleet, and to the large shore personnel which is loading, repairing, and provisioning the ships.

The funds appropriated in this bill do not represent the entire cost of the merchant fleet operation. They constitute the amount necessary for the revolving fund deficiency and for training and recruiting.

The expenses of ship operation, purchase, repair, etc., are defrayed from the revolving fund. The sources of the revenue are freight paid on lend-lease cargo, receipts from passenger and freight cargo, income from insurance, and appropriated funds. A statement of gross expenditures and receipts for the fiscal years 1944 and 1945 is as follows:

[In thousands of dollars]

	Revised estimates, 1944	Budget, 1945
<b>Expenditures:</b>		
Vessel expense (wages, fuel, stores, etc.).....	\$747, 000	\$1, 163, 000
Stevedoring and cargo handling.....	326, 000	535, 000
Ship hire and management.....	511, 000	479, 000
Ship conversions, defending, repairs.....	438, 000	325, 000
Insurance of ships, seamen, and cargo.....	126, 000	192, 000
Purchase of vessels.....	56, 000	47, 000
Manning, training of seamen.....	<sup>1</sup> 69, 000	76, 000
State marine schools.....	350	350
Administrative expenses.....	15, 600	18, 500
Transfers to other agencies and other expenses.....	19, 500	4, 500
1943 obligations (budget deficit).....	<sup>2</sup> 105, 500	-----
<b>Total expenditures.....</b>	<b>2, 413, 950</b>	<b>2, 840, 350</b>
<b>Source of funds:</b>		
Revolving fund appropriation.....	2, 200, 000	470, 000
Maritime training fund appropriation.....	72, 000	80, 000
State marine schools appropriation.....	350	350
Transfer from marine and war-risk insurance.....	-----	100, 000
Revenue from lend-lease freight.....	415, 000	482, 000
Other revenue.....	<sup>3</sup> 547, 600	<sup>3</sup> 887, 000
Unobligated balance, June 30, 1944.....	-821, 000	821, 000
<b>Total funds.....</b>	<b>2, 413, 950</b>	<b>2, 840, 350</b>

<sup>1</sup> Includes 1943 obligations, \$5,000,000 Maritime Training Fund.

<sup>2</sup> Revolving fund only.

<sup>3</sup> Other revenue, credits for reverse lend-lease, and other credits.

Total expenditures for the fiscal year 1945 are estimated at \$2,840,350,000. The revenue from lend-lease freight is estimated at \$482,000,000 and the revenue from other freight and from passengers is estimated at \$887,000,000, a total revenue of \$1,369,000,000. This amount, deducted from the gross expenditures of \$2,840,350,000, leaves an appropriation requirement of \$1,471,350,000 which is requested to be met by the use of \$821,000,000 carried over from the 1944 appropriation, \$100,000,000 transfer from the insurance fund, and a new appropriation of \$550,350,000.

The committee recommends a total of \$530,350,000, having made a deduction of \$20,000,000 based upon the uncertainty of a number of factors of expense. Of the \$530,350,000, the sum of \$450,000,000 is allowed for the revolving fund against the estimate of \$470,000,000, \$80,000,000 for the training and recruitment fund, and \$350,000 for State marine schools.

The decrease of \$1,750,000,000 in the revolving fund under the amount for 1944 is due to a number of causes. There is a carry-over of \$821,000,000 which will be unobligated in 1944, \$100,000,000 is transferred from the insurance fund, there is an increase between the 2 years of \$67,000,000 in revenues from lend-lease freight and \$340,000,000 in revenue from other freight, and there are decreases in expenses of ship conversion, ship purchases, and in insurance costs.

The large balance of \$821,000,000 carried over 1944 appropriations is due to a number of circumstances. The average number of vessels in operation and the number of voyages to be made were less than originally estimated early in the calendar year 1943, a reduction in insurance costs resulted from the sharp reduction in sinkings from war casualties, ship repairs were fewer and less extensive than anticipated, fewer ships were purchased and reconverted than originally estimated, the 1943 deficiency was lower than original estimates, and the opening of the Mediterranean had an effect on the cost of the year's operations. This carry-over balance, the transfer of \$100,000,000 from the insurance fund (which is approved), and the increase in revenue make possible the lower amount for 1945.

Credit has been taken by the War Shipping Administration in arriving at its gross expenditures of an estimated \$82,000,000 of service from reverse lend-lease. This amount is contrasted with an estimated amount of \$71,000,000 for the current fiscal year. The policy and data with respect to reverse lend-lease are found, respectively, on pages 525 and 483 of part 1 of the hearings.

The War Shipping Administration has recently redetermined rates and values which will result in an estimated saving of \$50,000,000 to be effected on charter hire, insurance, and other costs arising under the requisition program. Some of this saving will go to the public in reduced freight rates, but the larger part of it will accrue to the Government as a charterer and shipper of cargo. Comparison of the 1944 rates with World War I rates are based on large cargo vessels 20 years old. The bareboat charter rate fixed by the Shipping Board in World War I was \$4.15 per dead-weight ton per month. The rate allowed by the courts in 1917 was \$6.60 per dead-weight ton per month. The 1944 rate fixed by the War Shipping Administration is \$1.25 per dead-weight ton per month. The valuation for insurance purposes in World War I was fixed in 1917 for Government insurance at \$160 per dead-weight ton. The 1944 War Shipping Administration value for insurance purposes is fixed at \$56.25 per

dead-weight ton. Further detailed discussion of charter rates and values will be found on pages 464, 494, and 535 of the hearings.

The amount for the training and recruitment of officers and men to operate the increased fleet is \$80,000,000, an increase of \$8,000,000 over the 1944 appropriation. The \$80,000,000 consists of \$77,300,000 for the 1945 requirements and \$2,700,000 to cover a deficiency on account of the fiscal year 1944. The active seagoing labor force at the time of the hearings was 156,000, of which an average of 130,000 were at sea and 26,000 ashore between voyages. It is estimated that in order to man the augmented fleet in the fiscal year 1945 this number will need to be raised to 240,000 by June 30, 1945, to allow for 200,000 at sea and 40,000 ashore between voyages. The total new manpower requirement for ships for the fiscal year 1945 is based upon 900 new vessels requiring a total new manpower coming in of 80,285 in order to provide for sufficient crews and care for attrition. These will be secured from the following sources: Recruitments by labor unions and vessel operators, 14,410; experienced men recruited by the War Shipping Administration, 28,525; new men to be recruited and trained, 37,350; and men to be upgraded from present forces, 28,120. The total number to be trained and upgraded is 65,475, of which 37,350 will be new recruits.

The furnishing of crews for the rapidly increasing fleet has been one of the prime difficulties of the War Shipping Administration. In 1942 delays in ship sailings averaged 17 or 18 every 2 weeks due to shortage of crews; in the last quarter of 1943 this was reduced to 2 or 3 a fortnight; and in the 4 weeks ending with last March there were no such delays, despite the tremendous increase in the fleet. Crews are maintained by a Nation-wide system of manning pools or crew reservoirs whereby men can be shifted quickly from one port to another to meet needs as they arise. Assignments made to ships in 1943 were 49,000; they are estimated at 106,000 for 1944 and 150,000 for 1945. The manpower requirements for 1945 are based upon 6,500 men per month to man new vessels and to make an allowance of 20 percent for those leaving the service.

#### WAR RELOCATION AUTHORITY

1944 appropriation.....	\$48, 170, 000
1945 Budget estimate.....	40, 100, 000
Committee recommendation for 1945.....	39, 000, 000
Recommendation less than 1944 appropriation.....	9, 170, 000
Recommendation less than 1945 estimates.....	1, 100, 000

The appropriations for the War Relocation Authority provide for the maintenance and operation of eight general relocation centers, a special center at Tule Lake, and a small isolation center at Leupp, Ariz. The funds allowed are based upon a total population in centers of approximately 85,000, of which 68,000 are estimated for the eight general centers, and 17,000 for the center at Tule Lake, and 100 at the isolation center.

The center at Tule Lake was established during the fiscal year 1944 to concentrate at one point those citizens of Japan who desire repatriation to Japan (about 10,000), those Japanese citizens of the United States refusing to swear allegiance to the United States, those Japanese whose records are such that it is undesirable to relocate them, and the final and largest group—the members of families of the preceding groups, including many children.



The center at Rohwer, Ark., will be closed by June 30 next, and the evacuees transferred to other centers as a matter of economy. This results from increased space at other centers due to relocation of Japanese outside the centers and the heavier concentration at Tule Lake.

The problem of evacuee Japanese has been one of the most difficult of the war. By military order they were moved from their homes and property on the west coast and relocated in centers inland for national security. Approximately two-thirds of them are American citizens, among them over 20,000 children. It is the policy of the Government, as rapidly as they are capable of being relocated on the outside, to permit those Japanese whose records are clear to resume a normal life in the United States in new localities and new homes. While there may be some prejudice toward this action, it is the activation of a Christian attitude and in accordance with American institutions, standards of democracy, and ideals. As long as they are loyal to this country, and are otherwise law-abiding they are entitled to this consideration. Relocation has been proceeding in a satisfactory manner. As of April 15 last a total of 21,740 Japanese were released from the centers on indefinite leave and have been relocated in new homes. They are widely distributed in the central and eastern United States. An additional 2,400 were on seasonal leave for work outside the centers but are returnable when the seasonal leave has expired. The major objective of relocation is about 20 percent accomplished. Funds are provided to continue the relocation program and to increase the number of personnel engaged in that work with a view of accomplishing relocation as rapidly as possible. The Director has reported to the committee that very little difficulty has been experienced with relocated persons. Out of the more than 21,000 permanently relocated only a few cases of disturbance have been reported resulting from relocation. The program for the coming fiscal year is based upon a continuance of the present monthly rate of relocation, 1,400, with an estimated total for the year of 16,800.

The appropriation for 1945 is based upon a slightly less average cost per capita in centers than prevails in 1944. The average cost per capita per year in 1944 including supervision, education, health, payment of evacuee wages, clothing allowances, assistance grants, food, maintenance of buildings and grounds, and minor improvements, is \$444.32 or \$1.24 per day, and the average estimated for 1945 is \$429.27 a year or \$1.18 a day. Ration costs remain the same for 1945, 45 cents per person per day. Evacuee pay rates for those who work (approximately 35,000) remain at \$12, \$16, and \$19 per month, depending upon the character of the work—the top rate being for professional and technical services and the bottom rate for unskilled labor. Clothing allowances and assistance grants remain unchanged.

The reduction under the 1944 appropriation is due to the lesser number estimated to remain in the centers in the fiscal year 1945. Provision is made for an increased appointive staff at the centers. It would be logical to conclude that because of the reduced population in the centers the supervisory staff could likewise be decreased. The converse is true. Approximately 35,000 evacuees have performed some kind of labor. Among them were doctors, dentists, nurses,



teachers, and technicians who in the early days of the centers performed that character of work for the evacuees. Many of these professional and technical persons are relocating permanently on the outside and their places cannot be filled with evacuees because they are not available. On July 1, 1942, there was a total of 530 technical and professional evacuees, comprising physicians, dentists, registered nurses, pharmacists, etc., in residence at the centers. By January 1, 1943, this number was reduced to 434, and by January 1, 1944, to 136, indicating a decrease of 298 in the last calendar year. Other Japanese with skills necessary for operation of the centers are continuing to leave and the remaining evacuee population does not have all the requisite skills for replacement. These changes necessitate appointive personnel to replace them.

The total appointive personnel, which is non-Japanese, provided for the fiscal year 1944, is 2,301 man-years. The number requested for 1945 is 2,665, or an increase of 364. Actual employment on March 31 last was 2,350 with a schedule of employment, based on departures due to relocation, expected to rise gradually to 2,700 by June 30, 1945.

In making the reduction of \$1,100,000 in the Budget estimate the committee has taken into consideration two factors—the number of vacancies existing in the appointive force and the difficulty of recruitment, and the factor of relocation expenses. The Budget estimate contemplated that the expense of relocating those who would receive indefinite leave in the fiscal year 1945 would be approximately offset by the savings that would accrue in the cost of maintaining them in the centers. The cost of relocation for those so far relocated has averaged \$65.06, which covers travel grants and a small relocation grant. The committee feels that if the relocation program continues on the present basis the savings to the centers materially will exceed the relocation expense, and for these reasons has made the deduction from the estimates.

The committee desires to call attention to the contribution that Japanese boys are making to the war effort. The following extract is from page 621 of the hearings:

The CHAIRMAN. You mentioned those who had joined the armed forces, and I believe you said they were continuing to be recruited for the armed forces. How many Japanese have gone into the Army?

Mr. MYER. Up until April 1 there were 9,000 in the armed forces, divided about equally between Japanese-Americans from the Hawaiian Islands and from the mainland. In other words there are about 4,500 mainland Japanese-American boys in the Army and about the same number of Hawaiian boys. On January 20 the War Department announced that they were reinstating the selective-service program for boys of Japanese ancestry. The process of examining and inducting several hundred boys at the relocation centers, and other parts of the country, is under way. Induction of Japanese-Americans had been suspended along about February or March of 1942, when they decided not to take in any more boys of Japanese ancestry: at that time, under the selective-service program, Japanese-Americans were reclassified into 4-C's, but that practice has been changed and they are taking them again.

The CHAIRMAN. About what proportion are they brought in?

Mr. MYER. In the first place, there is the One Hundredth Infantry Battalion of Hawaiian National Guards which trained at Camp McCoy, in Wisconsin, and they are now on the Italian front. These Japanese boys are making excellent records.

The CHAIRMAN. Some of them are making creditable records?

Mr. MYER. Very excellent; as a matter of fact, it has been outstanding.

Then a year ago the Secretary of War announced the formation of a combat unit. There are about 5,000 people in that group, a regiment of infantry and a unit of engineers and the medical unit, and they have been in training for the past year at Camp Shelby, in Mississippi. They have made excellent records in training and the last I heard they had been on maneuver and they were nearly ready to go overseas.

I might say, that we have urged ever since July of 1942 that the selective-service program be reinstituted for these boys. They are American boys and want the right to fight in the Army and we have felt that they should have the right and the obligation to fight and to do what other American boys want to do, because they are American citizens. I am delighted about that decision, because they will make good soldiers, I think, and I think every American citizen, regardless of his skin color should have the opportunity to fight as well as to do the other things he is supposed to do as an American. At the present time—I do not know what the figures are exactly—but there must be approximately 10,000 boys of Japanese ancestry in the United States Army.

### LIMITATIONS AND LEGISLATIVE PROVISIONS

The following limitations or legislative provisions, not heretofore carried in connection with any of the agencies in this bill, are recommended:

On page 3, in connection with the Office of Censorship:

*Provided further, That not to exceed \$10,000 of this appropriation shall be available for expenses of a confidential character, to be expended under the direction of the Director who shall make a certificate of the amount of each such expenditure which he may think it advisable not to specify and every such certificate shall be deemed a sufficient voucher for the amount therein certified.*

On page 3, in connection with the Petroleum Administration for War:

\* \* \* *but no part of this sum shall be used to compensate any person who has been transferred from a classification pay status to an ungraded pay status;*

On page 7, in connection with the Office of Strategic Services:

*Provided, That \$37,000,000 of this appropriation may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds or the employment of persons in the Government service, and \$35,000,000 of such \$37,000,000 may be expended for objects of a confidential nature, such expenditures to be accounted for solely on the certificate of the Director of the Office of Strategic Services and every such certificate shall be deemed a sufficient voucher for the amount therein certified.*

On page 8, in connection with the Division of Central Administrative Services:

*Provided, That there may be transferred from this appropriation to appropriations available to the constituent agencies of the Office for Emergency Management and to other agencies such amounts as may be necessary in connection with the transfer of functions from the Division to such agencies and funds so transferred shall be consolidated with and shall be expendable in the same manner as funds of the agencies to which functions are transferred.*

On page 11, in connection with the Office of Coordinator of Inter-American Affairs:

\* \* \* *and in addition to said appropriation the Coordinator is authorized to enter into contracts during the fiscal year 1945 in an amount not exceeding \$2,500,000 for obligations necessary for and incident to his program:*

On page 15, Office of Scientific Research and Development:

*Provided further, That the Office of Scientific Research and Development may sell, lease, lend, or otherwise dispose of, under such terms and conditions as it may deem advisable, devices, scientific or technical equipment, models, or other articles of personalty, developed, constructed, produced in or purchased for the performance of its*

*scientific or medical contracts, except articles acquired for administrative purposes, and all receipts from such dispositions shall be covered into the Treasury as miscellaneous receipts.*

**On page 18, Office of War Information:**

*Provided, That, exclusive of the contingency fund mentioned in the last proviso hereof, not more than \$49,562,101 (including living and quarters allowances) shall be allocated to the Overseas Operations Branch and not more than \$2,200,000 shall be allocated to the Domestic Operations Branch for the following functions only: Office of the Director, including book and magazine coordination sections; Office of Program Coordination; News Bureau; Bureau of Special Services; Radio Bureau; Motion Picture Bureau, not exceeding \$50,000.*

**On page 21, War Production Board:**

*Provided, That the requirement in section 301 of the Treasury and Post Office Departments Appropriation Act, 1943, and in section 201 (a) of the Independent Offices Appropriation Act, 1944, that the payment of expenses of travel of employees on transfer from one official station to another must be authorized in the order directing the transfer is hereby waived with respect to such travel performed, with the approval of the Chairman of the Board, or his designee, in the fiscal year 1943, and in the fiscal year 1944 prior to November 1, 1943.*

**On page 26:**

*Provided further, That the Secretary of the Treasury is hereby authorized and directed to transfer the sum of \$100,000,000 from the marine and war risk insurance fund to the War Shipping Administration, revolving fund.*

**On page 26, marine training fund, War Shipping Administration:**

*Provided, That the amount which may be expended for administrative expenses in the fiscal year 1944 is hereby increased from \$2,600,000 to \$2,700,000.*

**On page 28:**

*(d) The appropriations for the constituent agencies under the Office for Emergency Management for the fiscal year 1945 shall be available for the hire of motor-propelled passenger-carrying vehicles, and the appropriations for such agencies for the fiscal year 1944 shall be construed as having been available for such purpose.*

**On page 30:**

*Provided further, That the Secretary of the Interior may delegate to any official in the War Relocation Authority the authority to make appointments of personnel and he may also delegate to any official in the War Relocation Authority the authority to make other determinations necessary for the conduct of administrative management within the Authority.*

**On page 33:**

*SEC. 205. For the purposes of section 303 of the First Supplemental National Defense Appropriation Act, 1944, and any similar general provisions for the fiscal year 1945, persons serving the Government at \$1 per annum shall be considered as serving without compensation.*

# NATIONAL WAR AGENCIES APPROPRIATION BILL, FISCAL YEAR 1945

*Comparative statement of the amounts available for the fiscal year 1944, the Budget estimates for the fiscal year 1945, and the amount recommended in the accompanying bill for 1945*

House Doc. No.	Agency	Amount available, fiscal year 1944	Budget estimate, fiscal year 1945	Amount recommended for 1945 in bill	Increase (+) or de- crease (-), bill com- pared with 1944	Increase (+) or de- crease (-), bill com- pared with Budget estimate
	EXECUTIVE OFFICE OF THE PRESIDENT					
483	Censorship, Office of-----	\$29,600,000	\$29,814,425	\$29,700,000	+\$100,000	-\$114,425
481	Petroleum Administration for War-	6,070,000	6,550,000	6,000,000	-70,000	-550,000
492	Selective Service System-----	68,243,000	63,573,000	61,500,000	-6,743,000	-2,073,000
512	Strategic Services, Office of-----	35,000,000	57,000,000	57,000,000	+22,000,000	-----
	Office for Emergency Manage- ment:					
487	Central Administrative Serv- ices, Division of:					
	Salaries and expenses----	10,117,200	9,133,000	7,783,000	-2,334,200	-1,350,000
	Working fund-----	750,000	-----	-----	-750,000	-----
532	Civilian Defense, Office of:					
	Civilian defense activi- ties-----	4,000,000	638,500	538,500	-3,461,500	-100,000
	Custody, transportation, and accounting for Federal protective property-----	700,000	500,500	461,500	-238,500	-39,000



*Comparative statement of the amounts available for the fiscal year 1944, the Budget estimates for the fiscal year 1945, and the amount recommended in the accompanying bill for 1945—Continued*

House Doc. No.	Agency	Amount available, fiscal year 1944	Budget estimate, fiscal year 1945	Amount recommended for 1945 in bill	Increase (+) or de- crease (-), bill com- pared with 1944	Increase (+) or de- crease (-), bill com- pared with Budget estimate
	EXECUTIVE OFFICE OF THE PRESIDENT—continued					
	Office for Emergency Manage- ment—Continued.					
488	Committee for Congested Production Areas-----	\$359,385	\$669,000	-----	-\$359,385	-\$669,000
486	Committee on Fair Employ- ment Practice-----	474,933	585,000	\$500,000	+25,067	-85,000
496	Coordinator of Inter-Ameri- can Affairs, Office of-----	• 30,735,000	<sup>b</sup> 19,174,000	<sup>b</sup> 18,000,000	-12,735,000	-1,174,000
489	Defense Transportation, Of- fice of-----	16,650,000	18,811,000	18,000,000	+1,350,000	-811,000
485	National War Labor Board--	14,437,300	15,596,000	15,000,000	+562,700	-596,000
499	Scientific Research and De- velopment, Office of-----	135,982,500	121,135,000	120,000,000	-15,982,500	-1,135,000
521	War Information, Office of---	38,222,504	64,390,000	58,625,367	+20,402,863	-5,764,633
543	War Mobilization, Office of--	138,000	900,000	900,000	+762,000	-----

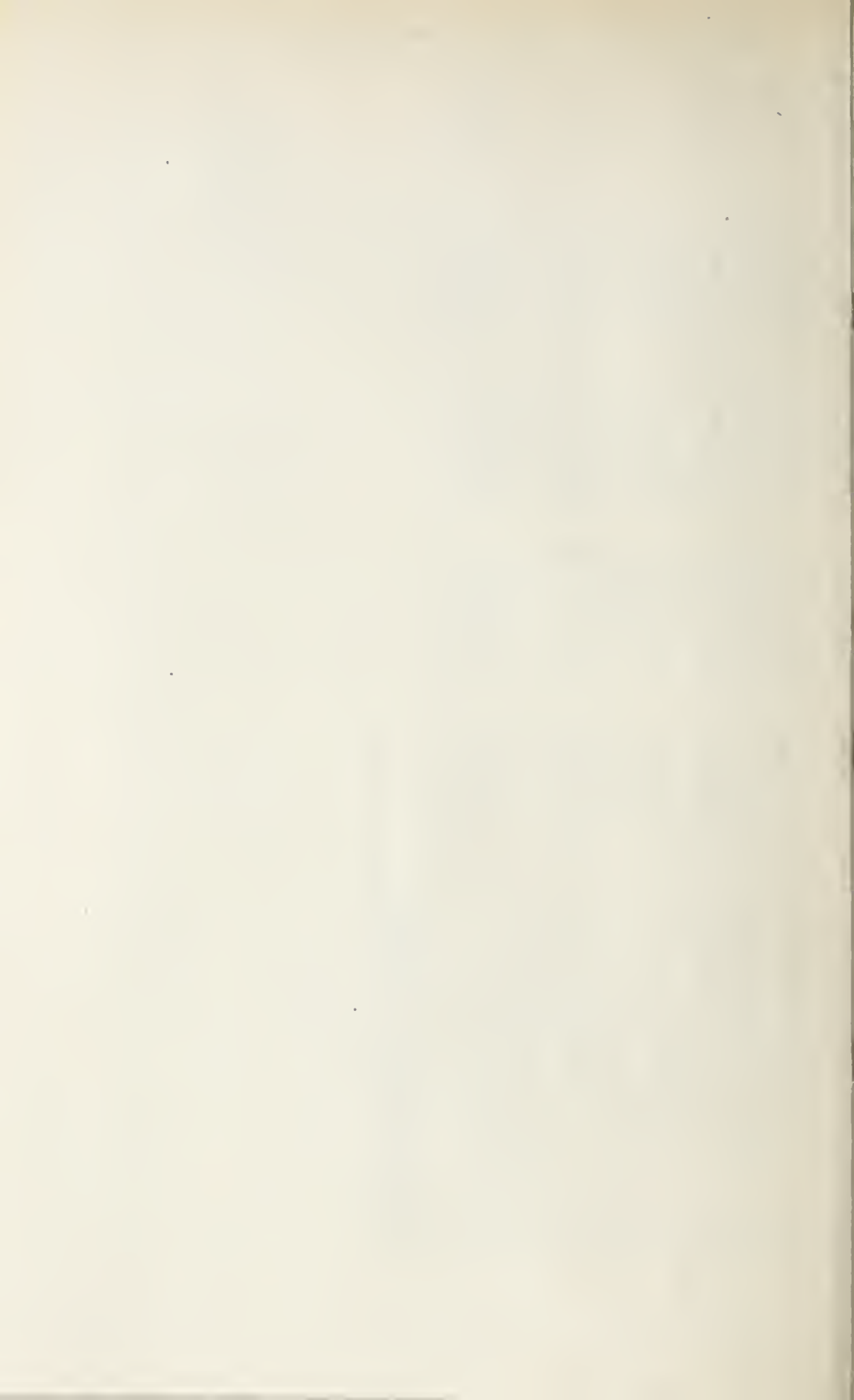
500	War Production Board-----	89,267,720	69,894,000	67,500,000	-21,767,720	-2,394,000
503	Smaller War Plants Corporation-----	(° 12,006,000)	(° 10,448,536)	(° 10,000,000)	(-2,006,000)	(-448,536)
484	War Shipping Administration:					
	Revolving operating fund	2,200,000,000	470,000,000	450,000,000	-1,750,000,000	-20,000,000
	Maritime recruiting and manning-----	72,000,000	80,000,000	80,000,000	+8,000,000	-----
	State marine schools-----	350,000	350,000	350,000	-----	-----
	Total, War Shipping Administration-----	2,272,350,000	550,350,000	530,350,000	-1,742,000,000	-20,000,000
	DEPARTMENT OF THE INTERIOR					
501	War Relocation Authority-----	48,170,000	40,100,000	39,000,000	-9,170,000	-1,100,000
	Grand total-----	° 2,801,267,542	° 1,068,813,425	1,030,858,367	-1,770,409,175	-37,955,058

° And contract authority of \$18,000,000.

° And contract authority of \$2,500,000.

° Payable from corporate funds for administrative expenses.

○



Union Calendar No. 512

78<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4879

[Report No. 1511]

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## IN THE HOUSE OF REPRESENTATIVES

MAY 25, 1944

Mr. CANNON of Missouri, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the state of the Union and ordered to be printed

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## A BILL

Making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

- 1       *Be it enacted by the Senate and House of Representa-*
- 2       *tives of the United States of America in Congress assembled,*
- 3       That the following sums are appropriated, out of any money
- 4       in the Treasury not otherwise appropriated, for the sup-
- 5       port of war agencies for the fiscal year ending June 30,
- 6       1945, and for other purposes, namely:



## TITLE I

## EXECUTIVE OFFICE OF THE PRESIDENT

## OFFICE OF CENSORSHIP

Salaries and expenses: For all necessary expenses of the Office of Censorship, including the employment of aliens as examiners or translators; the employment of a Director and a deputy director at not exceeding \$10,000 and \$9,000 per annum, respectively; not to exceed \$20,000 for temporary personal services without regard to civil-service and classification laws; travel expenses (not to exceed \$165,000); travel expenses of appointees from point of induction in continental United States to their first posts of duty outside continental United States and such expenses of employees returning from their places of employment outside continental United States to their homes in the United States or possessions or in foreign countries; reimbursement at not to exceed 3 cents per mile to employees for expenses incurred by them for official travel in privately owned automobiles within the limits of their official stations; printing and binding (not to exceed \$275,000); rental of news and other reporting services; rental and/or operation of photographic, communication, and other equipment and devices; hire (and not to exceed \$3,500 for the purchase of motor-propelled passenger-carrying vehicles; purchase of guard uniforms; purchase of special wearing apparel or equipment for pro-

1 tection of employees while engaged in their work; not to  
2 exceed \$10,000 for scientific research on models, devices,  
3 and other items related to the functions of the Office of  
4 Censorship without regard to section 3709 of the Revised  
5 Statutes) ; \$29,700,000: *Provided*, That section 3709 of the  
6 Revised Statutes shall not be construed to apply to any  
7 purchase made by or service rendered for the Office of Cen-  
8 sorship outside the continental limits of the United States  
9 when the aggregate amount involved in such case does  
10 not to exceed \$500: *Provided further*, That not to exceed  
11 \$10,000 of this appropriation shall be available for expenses  
12 of a confidential character, to be expended under the direction  
13 of the Director who shall make a certificate of the amount  
14 of each such expenditure which he may think it advisable not  
15 to specify and every such certificate shall be deemed a  
16 sufficient voucher for the amount therein certified.

17 PETROLEUM ADMINISTRATION FOR WAR

18 Salaries and expenses: For all necessary expenses of  
19 the Petroleum Administration for War in performing its  
20 functions as prescribed by the President (Fed. Reg., Decem-  
21 ber 4, 1942), including not to exceed \$425,000 for  
22 personal services without regard to the civil-service and  
23 classification laws but no part of this sum shall be used  
24 to compensate any person who has been transferred from  
25 a classification pay status to an ungraded pay status;

1 printing and binding not to exceed \$25,000; and not to  
2 exceed \$390,000 for travel expenses; \$6,000,000: *Pro-*  
3 *vided*, That section 3709, Revised Statutes, shall not apply  
4 to any purchase or service rendered under this appropriation  
5 when the aggregate amount involved does not exceed \$300.

#### 6 SELECTIVE SERVICE SYSTEM

7 Salaries and expenses, Selective Service System: For  
8 all expenses necessary for the operation and maintenance  
9 of the Selective Service System as authorized by the Selec-  
10 tive Training and Service Act of 1940 (50 U. S. C. App.  
11 301); including not to exceed \$400,000 for printing and  
12 binding; purchase, for replacement, of not to exceed thirty-  
13 two motor-propelled passenger-carrying vehicles; and,  
14 under such rules or regulations as may be prescribed  
15 by the Director of Selective Service, expenses of  
16 emergency medical care, including hospitalization, of regis-  
17 trants who suffer illness or injury, and the transportation,  
18 and burial, of the remains of registrants who suffer death,  
19 while acting under orders issued under the Selective Service  
20 law but such burial expenses shall not exceed \$150  
21 in any one case; \$61,500,000: *Provided*, That such  
22 amounts as may be necessary shall be available for the  
23 planning, directing, and operation of a program of work of  
24 national importance under civilian direction, either inde-  
25 pendently or in cooperation with governmental or non-

1 governmental agencies, and the assignment and delivery  
2 thereto of individuals found to be conscientiously opposed to  
3 participation in work of the land or naval forces, which  
4 cooperation with other agencies may include the furnishing  
5 of funds to and acceptance of money, services, or other  
6 forms of assistance from such nongovernmental agencies for  
7 the more effectual accomplishment of the work; and  
8 for the pay and allowances of such individuals at rates  
9 not in excess of those paid to persons inducted into  
10 the Army under the Selective Service System, and such  
11 privileges as are accorded such inductees: *Provided further,*  
12 That the travel of persons engaged in the administration of  
13 the Selective Service System, including commissioned, war-  
14 rant, or enlisted personnel of the Army, Navy, Marine  
15 Corps, or their reserve components, may be ordered by the  
16 Director or by such persons as he may authorize, and persons  
17 so traveling shall be entitled to transportation and subsistence  
18 or per diem in lieu of subsistence, at rates authorized by  
19 law: *Provided further,* That the Director of Selective  
20 Service, in prescribing per diem rates of allowance, not  
21 exceeding \$7, in lieu of subsistence for officers of the  
22 Army, Navy, and Marine Corps, and of the reserve com-  
23 ponents thereof, traveling on official business and away from  
24 their designated posts of duty, pursuant to the first paragraph  
25 of section 12 of the Act approved June 16, 1942 (37 U. S.



1 C. 112), is hereby authorized to prescribe such per diem  
2 rates of allowance, whether or not orders are given to such  
3 officers for travel to be performed repeatedly between two or  
4 more places in the same vicinity, and without regard to the  
5 length of time away from their designated posts of duty  
6 under such orders.

7 OFFICE OF STRATEGIC SERVICES

8 Salaries and expenses: For all expenses necessary to  
9 enable the Office of Strategic Services to carry out its func-  
10 tions and activities, including salaries of a Director at  
11 \$10,000 per annum, one assistant director and one deputy  
12 director at \$9,000 per annum each; procurement of neces-  
13 sary services, supplies and equipment without regard to  
14 section 3709, Revised Statutes; travel expenses, including  
15 expenses outside the United States without regard to  
16 the Standardized Government Travel Regulations and the  
17 Subsistence Expense Act of 1926, as amended (5 U. S. C.  
18 821-833) and any general provision for the fiscal year  
19 1945 to the contrary; preparation and transportation of  
20 the remains of officers and employees who die abroad or  
21 in transit, while in the dispatch of their official duties,  
22 to their former homes in this country or to a place not  
23 more distant for interment, and for the ordinary expenses  
24 of such interment; rental of news-reporting services; pur-  
25 chase of or subscription to commercial and trade reports;

1 the rendering of such gratuitous services and the disposi-  
2 tion, free or otherwise, of such materials as the Director  
3 deems advisable; purchase or rental and operation of pho-  
4 tographic, reproduction, duplicating and printing machines,  
5 equipment, and devices and radio-receiving and radio-send-  
6 ing equipment and devices; maintenance, operation, repair,  
7 and hire of motor-propelled or horse-drawn passenger-  
8 carrying vehicles and vessels of all kinds; printing and  
9 binding; exchange of funds without regard to section 3651,  
10 Revised Statutes (31 U. S. C. 543) ; purchase and free dis-  
11 tribution of firearms, guard uniforms, special clothing, and  
12 other personal equipment; the cost of a compartment or  
13 such other accommodations as may be authorized by the  
14 Director for security when authorized personnel are re-  
15 quired to transport secret documents or hand baggage con-  
16 taining highly technical and valuable equipment; \$57,000,-  
17 000, of which amount such sums as may be authorized by  
18 the Director of the Bureau of the Budget may be trans-  
19 ferred to other departments or agencies of the Government,  
20 either as advance payment or reimbursement of appropria-  
21 tion, for the performance of any of the functions or activities  
22 for which this appropriation is made: *Provided*, That \$37,-  
23 000,000 of this appropriation may be expended with-  
24 out regard to the provisions of law and regulations relating  
25 to the expenditure of Government funds or the employment

1 of persons in the Government service, and \$35,000,000 of  
2 such \$37,000,000 may be expended for objects of a con-  
3 fidential nature, such expenditures to be accounted for solely  
4 on the certificate of the Director of the Office of Strategic  
5 Services and every such certificate shall be deemed a suffi-  
6 cient voucher for the amount therein certified.

7 EXECUTIVE OFFICE OF THE PRESIDENT—

8 OFFICE FOR EMERGENCY MANAGEMENT

9 DIVISION OF CENTRAL ADMINISTRATIVE SERVICES

10 Salaries and expenses: For all necessary expenses of  
11 the Division of Central Administrative Services, including  
12 traveling expenses (not to exceed \$140,000) ; printing  
13 and binding (not to exceed \$50,000) ; \$7,783,000: *Pro-*  
14 *vided*, That there may be transferred from this appropria-  
15 tion to appropriations available to the constituent agencies  
16 of the Office for Emergency Management and to other  
17 agencies such amounts as may be necessary in connection  
18 with the transfer of functions from the Division to such  
19 agencies and funds so transferred shall be consolidated with  
20 and shall be expendable in the same manner as funds of the  
21 agencies to which functions are transferred.

22 OFFICE OF CIVILIAN DEFENSE

23 Salaries and expenses: For all necessary expenses of the  
24 Office of Civilian Defense, including salary of the Director

1 at not to exceed \$10,000 per annum; traveling expenses (not  
 2 to exceed \$150,300); printing and binding (not to exceed  
 3 \$13,000); \$538,500; and \$461,500 for storage, care, trans-  
 4 portation, and inspection of property purchased from funds  
 5 appropriated to the Office of Civilian Defense; in all,  
 6 \$1,000,000.

7 The appropriation herein made for the Office of Civilian  
 8 Defense shall constitute the total amount to be available for  
 9 obligation by such agency during the fiscal year 1945 and  
 10 shall not be supplemented by funds from any Federal source.

11 COMMITTEE ON FAIR EMPLOYMENT PRACTICE

12 For all expenses necessary to enable the Committee on  
 13 Fair Employment Practice to carry out the functions vested  
 14 in it by Executive Orders Numbered 8802 and 9346, in-  
 15 cluding salary of a Chairman at not to exceed \$10,000 per  
 16 annum and six other members at not to exceed \$25 per diem  
 17 when actually engaged; travel expenses (not to exceed  
 18 \$63,800); expenses of witnesses in attendance at Committee  
 19 hearings, when necessary; printing and binding (not to  
 20 exceed \$4,800); purchase of newspapers and periodicals  
 21 (not to exceed \$500); and the temporary employment of  
 22 persons, by contract or otherwise, without regard to section  
 23 3709 of the Revised Statutes and the civil service and classi-  
 24 fication laws (not to exceed \$8,900); \$500,000.



1 OFFICE OF THE COORDINATOR OF INTER-AMERICAN  
2 AFFAIRS

3 Salaries and expenses: For all necessary expenses of  
4 the Office of the Coordinator of Inter-American Affairs,  
5 including not to exceed \$15,000 for the temporary em-  
6 ployment of persons or organizations by contract or other-  
7 wise without regard to the civil-service and classification  
8 laws; employment of aliens; travel expenses, not to exceed  
9 \$175,000; printing and binding, not to exceed \$12,000;  
10 entertainment of officials and others of the other American  
11 republics; grants of money, property, or services to gov-  
12 ernmental and public or private nonprofit institutions and  
13 facilities in the United States and the other American  
14 republics; the free distribution, donation, or loan of publica-  
15 tions, phonograph records, radio scripts, radio transcrip-  
16 tions, art works, motion-picture scripts, motion-picture films,  
17 educational material, and other material and equipment;  
18 such other gratuitous assistance as the Coordinator may deem  
19 necessary and appropriate to carry out his program;  
20 expenses of transporting employees of the Office of the  
21 Coordinator and their effects from their homes to their  
22 places of employment in the other American republics,  
23 or from their homes in the other American republics  
24 to their places of employment, and return, when  
25 specifically authorized by the Coordinator; travel expenses

1 of dependents and transportation of personal effects, from  
2 their places of employment to their homes in the United  
3 States or in the possessions of the United States or in the  
4 other American republics, of employees for whom such  
5 expenses were paid by the Government on their assignment  
6 to posts in foreign countries; causing corporations to be  
7 created under the laws of the District of Columbia, any  
8 State of the United States, or any of the other American  
9 republics, to assist in carrying out the Coordinator's pro-  
10 gram and capitalizing such corporations: *Provided*, That  
11 corporations heretofore or hereafter created or caused to  
12 be created by the Coordinator primarily for operation out-  
13 side the continental United States shall determine and  
14 prescribe the manner in which their obligations shall be  
15 incurred and their expenses allowed and paid without re-  
16 gard to the provisions of law regulating the expenditure,  
17 accounting for and audit of Government funds, and may,  
18 in their discretion, employ and fix the compensation of  
19 officers and employees outside the continental limits of the  
20 United States without regard to the provisions of law ap-  
21 plicable to the employment and compensation of officers  
22 and employees of the United States: *Provided further*,  
23 That the Coordinator shall transmit to the President im-  
24 mediately upon the close of the fiscal year a complete  
25 financial report of the operations of such corporations;

1 \$18,000,000, of which \$4,000,000 is for the payment of ob-  
2 ligations incurred under the contract authorization of \$18,-  
3 000,000 under this head in the National War Agencies  
4 Appropriation Act, 1944, and in addition to said appro-  
5 priation the Coordinator is authorized to enter into contracts  
6 during the fiscal year 1945 in an amount not exceeding  
7 \$2,500,000 for obligations necessary for and incident to his  
8 program: *Provided further*, That not to exceed \$200,000  
9 of this appropriation shall be available to meet emergencies  
10 of a confidential character to be expended under the direc-  
11 tion of the Coordinator, who shall make a certificate of the  
12 amount of such expenditure which he may think it advisable  
13 not to specify and every such certificate shall be deemed  
14 a sufficient voucher for the amount therein certified: *Pro-*  
15 *vided further*, That notwithstanding the provisions of section  
16 3679, Revised Statutes (31 U. S. C. 665), the Coordi-  
17 nator is authorized in making contracts for the use of inter-  
18 national short-wave radio stations and facilities, to agree  
19 on behalf of the United States to indemnify the owners and  
20 operators of such radio stations and facilities, from such  
21 funds as may be hereafter appropriated for the purpose,  
22 against loss or damage on account of injury to persons or  
23 property arising from such use of said radio stations and  
24 facilities.

## OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For all necessary expenses of the Office of Defense Transportation, including salary of the Director at not to exceed \$12,000, traveling expenses (not to exceed \$900,000, including reimbursement, at not to exceed 3 cents per mile, of employees for official travel performed by them in privately owned automobiles within the limits of their official stations) ; printing and binding (not to exceed \$130,000, including not to exceed \$5,000 for printing and binding outside the continental limits of the United States without regard to provisions of law governing printing and binding (44 U. S. C. 111) ) ; payment, at rates not in excess of those fixed by law for witnesses attending in United States courts (28 U. S. C. 600c) , of fees, mileage, and subsistence of witnesses appearing at hearings held by the Office of Defense Transportation in connection with the performance of its functions: *Provided*, That the payment of subsistence to witnesses shall be subject to certification by the Director of the Office of Defense Transportation or his designee, as to the necessity therefor; \$18,000,000.

## NATIONAL WAR LABOR BOARD

Salaries and expenses: For all necessary expenses of the National War Labor Board, including salaries at not to exceed \$10,000 per annum each for the four public members and not to exceed \$9,000 per annum each for the four



1 alternate public members of the Board; travel expenses (not  
2 to exceed \$1,000,000) ; printing and binding (not to exceed  
3 \$31,300) ; actual transportation and other necessary ex-  
4 penses, and not to exceed \$25 per diem in lieu of subsis-  
5 tence, whether or not in a travel status, of other members.  
6 alternate members and associate members of the Board  
7 while serving as such without other compensation from the  
8 United States; \$15,000,000.

9 OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

10 Salaries and expenses: For all necessary expenses of  
11 the Office of Scientific Research and Development, including  
12 the purchase of reports, documents, plans, or specifications;  
13 the employment by contract or otherwise, without regard  
14 to civil-service or classification laws, at not to exceed \$25  
15 per day for individuals, of engineers, scientists, civilian  
16 analysts, technicians, or other necessary professional per-  
17 sonnel or firms, corporations, or other organizations thereof;  
18 printing and binding; travel expenses, including, when spe-  
19 cifically authorized or approved by the Director of the Office,  
20 transportation of personal effects, of personnel to their first  
21 posts of duty outside continental United States, and return;  
22 travel expenses of personnel on official business outside con-  
23 tinental United States and away from designated posts of  
24 duty, on assignment with military forces, without regard to  
25 the Standardized Government Travel Regulations other than

1 paragraph 45; the cost of a compartment or such other accom-  
2 modation as may be authorized by the Director for security  
3 when authorized personnel are required to transport secret  
4 documents or hand baggage containing highly technical and  
5 valuable equipment; and not to exceed \$6,000 for the enter-  
6 tainment of officials of other countries, \$120,000,000: *Pro-*  
7 *vided*, That there may be paid from this appropriation to the  
8 National Academy of Sciences a sum not exceeding \$150,000  
9 for the administrative and overhead expenses incurred by  
10 said academy during the fiscal year 1945 in carrying out  
11 research projects for Federal agencies, and such sum shall  
12 be in addition to any reimbursement otherwise provided  
13 for: *Provided further*, That notwithstanding the provisions  
14 of section 3679 of the Revised Statutes (31 U. S. C.  
15 665), the Office of Scientific Research and Development  
16 is authorized, in making contracts for the conduct of inves-  
17 tigation or experiments, to agree on behalf of the United  
18 States to indemnify the contractor from such funds as may  
19 be hereafter appropriated for the purpose, against loss or  
20 damage to persons or property arising from such work:  
21 *Provided further*, That funds available to any agency of the  
22 Government for scientific, technical, or medical research,  
23 development, testing, construction of test models, experi-  
24 mental production, or the provision of facilities therefor,  
25 shall be available for transfer with the approval of the head

1 of the agency involved, in whole or in part, to the Office  
2 of Scientific Research and Development, and funds so trans-  
3 ferred shall be expendable in the same manner as this ap-  
4 propriation: *Provided further*, That the Office of Scientific  
5 Research and Development may sell, lease, lend, or otherwise  
6 dispose of, under such terms and conditions as it may deem  
7 advisable, devices, scientific or technical equipment, models,  
8 or other articles of personalty, developed, constructed, pro-  
9 duced in or purchased for the performance of its scientific  
10 or medical contracts, except articles acquired for administra-  
11 tive purposes, and all receipts from such dispositions shall be  
12 covered into the Treasury as miscellaneous receipts.

13 OFFICE OF WAR INFORMATION

14 Salaries and expenses: For all necessary expenses of the  
15 Office of War Information, including the employment of a  
16 Director and Associate Director at not exceeding \$12,000  
17 and \$10,000 per annum, respectively; not to exceed  
18 \$75,000 for the temporary employment in the United  
19 States of persons by contract or otherwise without regard to  
20 the civil service and classification laws; employment of  
21 aliens; employment of persons outside the continental limits  
22 of the United States without regard to the civil service  
23 and classification laws; travel expenses (not to exceed  
24 \$400,000 for travel within the continental limits of the  
25 United States); expenses of transporting employees and

1 their effects from their homes to their places of employ-  
2 ment in a foreign country and return to their homes in the  
3 United States; purchase of radio time and purchase or rental  
4 of facilities for radio transmission; purchase, rental, construc-  
5 tion, improvement, maintenance, and operation of facilities  
6 for radio transmission and reception, including real prop-  
7 erty outside the continental limits of the United States  
8 and temporary sentry stations, guard barracks, and enclosures  
9 for the security of short-wave broadcasting facilities  
10 within the continental limits of the United States without re-  
11 gard to the provisions of section 355, Revised Statutes (40  
12 U. S. C. 255), and other provisions of law affecting the pur-  
13 chase or rental of land and the construction of buildings  
14 thereon; advertising in foreign newspapers without regard to  
15 section 3828, Revised Statutes (44 U. S. C. 324); printing  
16 and binding (not to exceed \$2,710,389, for such expenses  
17 within the continental limits of the United States), includ-  
18 ing printing and binding outside the continental limits of  
19 the United States without regard to section 11 of the Act  
20 of March 1, 1919 (44 U. S. C. 111); purchase or rental  
21 and operation of photographic, reproduction, printing,  
22 duplicating, communication, and other machines, equip-  
23 ment, and devices; exchange of funds without regard to  
24 section 3651, Revised Statutes; purchase of four hundred and



1 eighty-six motor-propelled passenger-carrying vehicles for  
2 use outside the continental limits of the United States which  
3 may be acquired without regard to statutory limitations as to  
4 price and authority to purchase; acquisition, production, and  
5 free distribution of publications, phonograph records, radio  
6 transcriptions, motion-picture films, photographs and pic-  
7 tures, educational materials, and such other items as the Di-  
8 rector may deem necessary to carry out the program of the  
9 Office of War Information, and sale or rental of such items  
10 by contract or otherwise to firms or individuals for use  
11 outside the continental limits of the United States; pur-  
12 chase, repair, and cleaning of uniforms for use by porters,  
13 drivers, messengers, watchmen, and other custodial em-  
14 ployees outside continental United States; such gratui-  
15 tous expenses of travel and subsistence as the Director  
16 deems advisable in the fields of education, travel, radio,  
17 press, and cinema: not to exceed \$125,000 for enter-  
18 tainment of officials and others in the fields of education,  
19 radio, press, and cinema of other countries; payment of  
20 the United States' share of the expenses of the maintenance,  
21 in cooperation with any other of the United Nations, of  
22 organizations and activities designed to receive and dis-  
23 seminate information relative to the prosecution of the war;  
24 \$58,625,367: *Provided*, That, exclusive of the contingency  
25 fund mentioned in the last proviso hereof, not more than

1 \$48,562,101 (including living and quarters allowances)  
2 shall be allocated to the Overseas Operations Branch and  
3 not more than \$2,200,000 shall be allocated to the Domestic  
4 Operations Branch for the following functions only: Office  
5 of the Director, including book and magazine coordination  
6 sections; Office of Program Coordination; News Bureau;  
7 Bureau of Special Services; Radio Bureau; Motion Picture  
8 Bureau, not exceeding \$50,000: *Provided further*, That  
9 notwithstanding the provisions of section 3679, Revised  
10 Statutes (31 U. S. C. 665), the Office of War Information  
11 is authorized in making contracts for the use of international  
12 short-wave radio stations and facilities, to agree on behalf  
13 of the United States to indemnify the owners and operators  
14 of said radio stations and facilities from such funds as may  
15 be hereafter appropriated for the purpose, against loss or  
16 damage on account of injury to persons or property arising  
17 from such use of said radio stations and facilities: *Provided*  
18 *further*, That not to exceed \$600,000 of this appropriation  
19 shall be available to meet emergencies of a confidential char-  
20 acter to be expended under the direction of the Director,  
21 who shall make a certificate of the amount of such expendi-  
22 ture which he may think it advisable not to specify and  
23 every such certificate shall be deemed a sufficient voucher  
24 for the amount therein certified: *Provided further*, That  
25 \$5,500,000 of this appropriation shall not be available for

1 expenditure unless the Director of the Office of War Infor-  
2 mation, with the approval of the President, shall determine  
3 that such funds in addition to the other funds provided herein  
4 for the Overseas Branch are necessary for carrying on activi-  
5 ties in conjunction with actual or projected military opera-  
6 tions and that accounts for these funds may be merged with  
7 regular accounts.

8       No part of this or any other appropriation shall be ex-  
9 pended by the Office of War Information for the preparation  
10 or publication of any pamphlet or other literature, except  
11 the United States Government Manual, for distribution to  
12 the public within the United States.

13       The appropriation herein made for the Office of War  
14 Information shall constitute the total amount to be available  
15 for obligation by such agency during the fiscal year 1945  
16 and shall not be supplemented by funds from any source  
17 except by reverse lend-lease.

18                               OFFICE OF WAR MOBILIZATION

19       Salaries and expenses: For all necessary expenses of  
20 the Office of War Mobilization, including salary of the  
21 Director at \$15,000 per annum; salaries of two Assist-  
22 ant Directors at \$9,000 per annum each; not to exceed  
23 \$169,000 for the employment of persons or organizations by  
24 contract or otherwise without regard to section 3709, Revised

1 Statutes, or the civil-service and classification laws; and  
2 printing and binding; \$900,000.

3 WAR PRODUCTION BOARD

4 Salaries and expenses: For all necessary expenses of  
5 the War Production Board, including salary of the Chair-  
6 man at \$15,000 per annum, and salaries of six vice chair-  
7 men or principal officials at \$10,000 per annum each; the  
8 employment of aliens; the employment of expert witnesses;  
9 not to exceed \$20,000 for the temporary employment of  
10 persons or organizations, by contract or otherwise, without  
11 regard to the civil-service or classification laws; not to exceed  
12 \$5,000 for entertainment of officials of other countries when  
13 specifically authorized or approved by the Chairman; reim-  
14 bursement at not to exceed 3 cents per mile, of employees  
15 for expenses incurred by them in performance of official  
16 travel in privately owned automobiles within the limits of  
17 their official stations; not to exceed \$4,625,000 for travel  
18 expenses, including travel to and from their homes or regular  
19 places of business in accordance with the Standardized Travel  
20 Regulations, including travel in privately owned automobile  
21 (and including per diem in lieu of subsistence at place of  
22 employment), of persons employed intermittently away from  
23 their homes or regular places of business as compliance com-  
24 missioners and receiving compensation on a per diem when



1 actually employed basis; not to exceed \$1,217,000 for print-  
2 ing and binding; not to exceed \$4,500,000 for scientific  
3 research on materials, material substitutes, and other subjects  
4 related to the functions of the Board, without regard to  
5 section 3648, Revised Statutes; and the rental, main-  
6 tenance and operation of one airplane; \$67,500,000: *Pro-*  
7 *vided*, That the requirement in section 301 of the Treas-  
8 ury and Post Office Departments Appropriation Act, 1943,  
9 and in section 201 (a) of the Independent Offices Appro-  
10 priation Act, 1944, that the payment of expenses of travel  
11 of employees on transfer from one official station to another  
12 must be authorized in the order directing the transfer is  
13 hereby waived with respect to such travel performed, with  
14 the approval of the Chairman of the Board, or his designee,  
15 in the fiscal year 1943, and in the fiscal year 1944 prior  
16 to November 1, 1943.

17 Smaller War Plants Corporation, administrative ex-  
18 penses: Not to exceed \$10,000,000 of the funds of the  
19 Smaller War Plants Corporation, acquired in accordance with  
20 the Act of June 11, 1942 (Public Law 603), shall be avail-  
21 able for the administrative expenses of such Corporation  
22 necessary to enable it to carry out the functions vested in it  
23 by such Act, to carry out the provisions of section 2 of such  
24 Act, and such other functions as may be lawfully delegated  
25 to the Corporation; not to exceed \$10,000 for the employ-

1 ment of aliens; not to exceed \$500,000 for the temporary  
2 employment of persons or organizations by contract or other-  
3 wise without regard to the civil-service and classification laws  
4 for special services, including audits notwithstanding section 5  
5 of the Act of April 6, 1914 (5 U. S. C. 55) ; printing and  
6 binding; reimbursement, at not to exceed 3 cents per mile,  
7 of employees for expenses incurred by them in performance  
8 of official travel in privately owned automobiles within the  
9 limits of their official stations; the hire of motor-propelled  
10 passenger-carrying vehicles; procurement of supplies, equip-  
11 ment, and services without regard to section 3709 of the  
12 Revised Statutes where the amount involved in any one  
13 case does not exceed \$300; and rent in the District  
14 of Columbia: *Provided*, That, as determined by the chair-  
15 man of the Board of Directors, or such officer as may be  
16 designated by the Board of Directors for the purpose,  
17 expenditures (including expenditures for services performed  
18 on a force account or contract or fee basis) necessary  
19 in acquiring, operating, maintaining, improving, or dis-  
20 posing of real or personal property belonging to the Cor-  
21 poration or in which it has an interest (except property  
22 acquired for the administrative purposes of the Corporation),  
23 including expenses of collections of pledged collateral and  
24 expenses of service and administration of its loans, advances,  
25 and property under section 6 of said Act of June 11, 1942,

1 shall be considered as nonadministrative expenses for the  
2 purposes hereof: *Provided further*, That no part of said  
3 \$10,000,000 shall be obligated or expended unless and until  
4 an appropriate appropriation account shall have been estab-  
5 lished therefor pursuant to an appropriation warrant or a  
6 covering warrant, and all such expenses shall be accounted  
7 for and audited in accordance with the Budget and Account-  
8 ing Act.

9                   WAR SHIPPING ADMINISTRATION

10       War Shipping Administration, revolving fund: To in-  
11 crease the War Shipping Administration revolving fund,  
12 \$450,000,000, which amount, together with other funds here-  
13 tofore or hereafter made available to such revolving fund,  
14 shall be available for carrying on all the activities and func-  
15 tions of the War Shipping Administration (not provided for  
16 under other appropriations made to said Administration),  
17 under Executive order of February 7, 1942 (7 F. R. 837),  
18 and heretofore or hereafter lawfully vested in such Admin-  
19 istration, including costs incidental to the acquisition, opera-  
20 tion, loading, discharging, and use of vessels transferred for  
21 use of any department or agency of the United States, for  
22 carrying out the provisions of Executive Order Numbered  
23 9112 of March 26, 1942, and for all administrative expenses  
24 (not to exceed \$14,500,000 in the fiscal year 1945),  
25 including the employment and compensation of persons in

1 the District of Columbia and elsewhere, such employment  
2 and compensation to be in accordance with laws applicable  
3 to the employment and compensation of persons by the  
4 United States Maritime Commission except section 201 (b)  
5 of the Merchant Marine Act, 1936 (49 Stat. 1985) ; ex-  
6 penses of attendance, when specifically authorized by the  
7 Administrator, at meetings concerned with the work of  
8 the Administration; actual transportation and other neces-  
9 sary expenses and not to exceed \$25 per diem in lieu of  
10 subsistence of persons serving while away from their  
11 permanent homes or regular places of business in an ad-  
12 visory capacity to or employed by the Administration  
13 without other compensation from the United States or at  
14 \$1 per annum; printing and binding; lawbooks, books of  
15 reference, periodicals and newspapers; teletype services;  
16 purchase, maintenance, repair, rental in foreign countries,  
17 and operation of passenger-carrying automobiles; travel ex-  
18 penses, including transportation of effects under regulations  
19 prescribed by the Administrator, of employees from their  
20 homes to their first post of duty in a foreign country; rent,  
21 including heat, light, and power, outside the District of  
22 Columbia; necessary advance payments in foreign countries;  
23 and the employment, on a contract or fee basis, of  
24 persons, firms, or corporations for the performance of  
25 special services, including legal services, without regard



1 to section 3709 of the Revised Statutes or the civil-service  
2 and classification laws: *Provided*, That when vessels are  
3 transferred or assigned permanently by the War Shipping  
4 Administrator to other departments or agencies of the United  
5 States Government for operation by them, funds for the  
6 operation, loading, discharging, repairs, and alterations,  
7 or other use of such vessels may be transferred from this  
8 fund to the applicable appropriations of the department or  
9 agency concerned in such amounts as may be approved by  
10 the Director of the Bureau of the Budget: *Provided further*,  
11 That the Secretary of the Treasury is hereby authorized and  
12 directed to transfer the sum of \$100,000,000 from the marine  
13 and war risk insurance fund to the War Shipping Admin-  
14 istration, revolving fund.

15 Maritime training fund, War Shipping Administration:  
16 For the training, recruitment, repatriation, rehabilitation,  
17 and placement of personnel for the manning of the merchant  
18 marine, and the establishment and maintenance of policies  
19 respecting maritime labor relations and conditions, and for  
20 administrative expenses (not to exceed \$4,000,000)  
21 including all the administrative items of expenditure  
22 for which the appropriation "War Shipping Admin-  
23 istration, revolving fund", is available, and not to exceed  
24 \$2,500 for contingencies for the Superintendent, United  
25 States Merchant Marine Academy, to be expended in his dis-

1 cretion, \$80,000,000, of which \$2,700,000 shall be avail-  
 2 able for payment of obligations incurred in the fiscal year  
 3 1944: *Provided*, That the amount which may be expended  
 4 for administrative expenses in the fiscal year 1944 is hereby  
 5 increased from \$2,600,000 to \$2,700,000.

6 State marine schools, War Shipping Administration:  
 7 To reimburse the State of California, \$50,000; the State of  
 8 Maine, \$50,000; the State of Massachusetts, \$50,000; the  
 9 State of New York, \$50,000; and the State of Pennsylvania,  
 10 \$50,000; for expenses incurred in the maintenance and  
 11 support of marine schools in such States as provided in the  
 12 Act authorizing the establishment of marine schools, and  
 13 so forth, approved March 4, 1911, as amended (34 U. S. C.  
 14 1121-1123) ; and for the maintenance and repair of vessels  
 15 loaned by the United States to the said States for use in  
 16 connection with such State marine schools, \$100,000; in all,  
 17 \$350,000.

#### 18 OFFICE FOR EMERGENCY MANAGEMENT—GENERAL

#### 19 PROVISIONS

20 (a) The head of any constituent agency may delegate  
 21 to any official in such agency or in the field offices of the  
 22 Division of Central Administrative Services the authority  
 23 to make appointments of personnel and he may also delegate  
 24 to any official in the agency of which he is the head the  
 25 authority to make other determinations necessary for the

1 conduct of the administrative management within such  
2 agency.

3 (b) Any employee of any of the constituent agencies  
4 is authorized, when designated for the purpose by the head  
5 of such agency, to administer to or take from any person  
6 an oath, affirmation, or affidavit, when such instrument is  
7 required in connection with the performance of the functions  
8 or activities of such agency.

9 (c) The head of any of the constituent agencies is  
10 authorized, in connection with the operations of such agency,  
11 to consider, ascertain, adjust, determine, and certify claims  
12 against the United States in accordance with the Act  
13 of December 28, 1922 (31 U. S. C. 215), and to designate  
14 certifying officers in accordance with the Act of December  
15 29, 1941, or to delegate authority to the Director of the Divi-  
16 sion of Central Administrative Services to designate em-  
17 ployees of such Division as certifying officers to certify  
18 vouchers payable against the funds of the constituent agency  
19 concerned.

20 (d) The appropriations for the constituent agencies  
21 under the Office for Emergency Management for the fiscal  
22 year 1945 shall be available for the hire of motor-propelled  
23 passenger-carrying vehicles, and the appropriations for such  
24 agencies for the fiscal year 1944 shall be construed as having  
25 been available for such purpose.

## DEPARTMENT OF THE INTERIOR

## WAR RELOCATION AUTHORITY

Salaries and expenses: For all necessary expenses of the War Relocation Authority, \$39,000,000, including expenses incident to the extension of the program provided for in Executive Order 9102 to persons of Japanese ancestry not evacuated from military areas; salary of the Director at not to exceed \$10,000 per annum; employment of aliens; traveling expenses, not to exceed \$375,000; printing and binding, not to exceed \$28,000; procurement, without regard to section 3709, Revised Statutes, of supplies and equipment (with or without personal services); purchase for replacement (not to exceed \$50,000) of passenger-carrying automobiles; the leasing to others of land acquired for the program; purchase of uniforms for internal security officers; transfer of household goods and effects as provided by the Act of October 10, 1940, including travel expenses, of employees transferred from other Federal agencies to the Authority at its request; not to exceed \$10,000 for payment to States or political subdivisions thereof, or other local public taxing units, of sums in lieu of taxes against real property acquired by the Authority for the purposes hereof; for payments for the performance of governmental services required in connection with the administration of the program; the disposal, by public or private sale, of



1 goods or commodities produced or manufactured in the  
2 performance of activities hereunder, the proceeds of which  
3 shall be deposited in a special fund which shall remain  
4 available until June 30, 1945, for the purposes here-  
5 of: *Provided*, That the provisions of the Act of Feb-  
6 ruary 15, 1934 (48 Stat. 351), as amended, relating to  
7 disability or death compensation and benefits, shall apply to  
8 persons receiving from the United States compensation in  
9 the form of subsistence, cash advances, or other allowances  
10 in accordance with regulations prescribed by the Director of  
11 the War Relocation Authority for work performed in con-  
12 nection with such program, including work performed in the  
13 War Relocation Work Corps: *Provided further*, That this  
14 provision shall not apply in any case coming within the  
15 purview of the workmen's compensation laws of any State,  
16 Territory, or possession, or in which the claimant has re-  
17 ceived or is entitled to receive similar benefits for injury  
18 or death: *Provided further*, That the Secretary of the In-  
19 terior may delegate to any official in the War Relocation  
20 Authority the authority to make appointments of personnel  
21 and he may also delegate to any official in the War Reloca-  
22 tion Authority the authority to make other determinations  
23 necessary for the conduct of administrative management  
24 within the Authority: *And provided further*, That the limi-  
25 tation placed on the amount available for travel expenses

1 for the War Relocation Authority shall not apply to travel  
2 of evacuees and their escorts incident to transfers and relo-  
3 cation.

## 4 TITLE II—GENERAL PROVISIONS

5 SEC. 201. The appropriations in this Act for salaries and  
6 expenses shall be available, in addition to the objects specified  
7 under each head, and without regard to section 3709, Revised  
8 Statutes (except as otherwise specified herein), for personal  
9 services in the District of Columbia and elsewhere; contract  
10 stenographic reporting services; lawbooks, books of reference,  
11 newspapers and periodicals; maintenance, operation, and re-  
12 pair of motor-propelled passenger-carrying vehicles; accept-  
13 ance and utilization of voluntary and uncompensated services;  
14 and traveling expenses, including expenses of attendance at  
15 meetings of organizations concerned with the work of the  
16 agency from whose appropriation such expenses are paid, and  
17 actual transportation and other necessary expenses, and not to  
18 exceed \$10 (unless otherwise specified) per diem in lieu of  
19 subsistence, of persons serving while away from their perma-  
20 nent homes or regular places of business in an advisory  
21 capacity to or employed by any of such agencies without  
22 other compensation from the United States, or at \$1 per  
23 annum, and including (upon authorization or approval of  
24 the head of any of such agencies) travel expenses to and  
25 from their homes or regular places of business in accordance

1 with the Standardized Government Travel Regulations, in-  
2 cluding travel in privately owned automobile (and including  
3 per diem in lieu of subsistence at place of employment),  
4 of persons employed intermittently away from their homes  
5 or regular places of business as consultants and receiving  
6 compensation on a per diem when actually employed basis.

7       SEC. 202. Whenever sums are set apart from the appro-  
8 priations in this Act for special projects (classified in the  
9 estimates submitted to Congress as or under "Other con-  
10 tractual services") expenditures may be made therefrom for  
11 traveling expenses, printing and binding, and purchase of  
12 motor-propelled passenger-carrying vehicles without regard  
13 to the limitations specified for such objects under the respec-  
14 tive heads, but within such amounts as the Director of the  
15 Bureau of the Budget may approve therefor and such Direc-  
16 tor shall report to Congress each such limitation determined  
17 by him: *Provided*, That such limitations shall not apply  
18 where the special projects are performed by non-Government  
19 agencies.

20       SEC. 203. With the prior approval of the Bureau of the  
21 Budget and under authority of section 601 of the Act of June  
22 30, 1932, as amended (31 U. S. C. 686), orders for work  
23 or services to be performed by other agencies of the Govern-  
24 ment may be placed by any of the agencies whose appropria-  
25 tions are contained in this Act, but no agency shall perform

1 work or render services with or without reimbursement (in-  
2 cluding the detail or loan of personnel) for any of the agen-  
3 cies whose appropriations are contained in this Act except in  
4 pursuance of orders so approved or under specific authority  
5 of other law. This provision shall not apply to the Office  
6 of Strategic Services.

7 SEC. 204. The foregoing sections 201, 202, and 203  
8 shall have no application to appropriations for the War  
9 Shipping Administration.

10 SEC. 205. For the purposes of section 303 of the First  
11 Supplemental National Defense Appropriation Act, 1944,  
12 and any similar general provisions for the fiscal year 1945,  
13 persons serving the Government at \$1 per annum shall be  
14 considered as serving without compensation.

15 SEC. 206. No part of any appropriation contained in  
16 this Act shall be used to pay the salary or wages of  
17 any person who advocates, or who is a member of an  
18 organization that advocates, the overthrow of the Government  
19 of the United States by force or violence: *Provided*, That for  
20 the purposes hereof an affidavit shall be considered prima  
21 facie evidence that the person making the affidavit does not  
22 advocate, and is not a member of an organization that  
23 advocates, the overthrow of the Government of the United  
24 States by force or violence: *Provided further*, That any  
25 person who advocates, or who is a member of an organiza-



1 tion that advocates, the overthrow of the Government of  
2 the United States by force or violence and accepts employ-  
3 ment the salary or wages for which are paid from any  
4 appropriation contained in this Act shall be guilty of a felony  
5 and, upon conviction, shall be fined not more than \$1,000  
6 or imprisoned for not more than one year, or both: *Provided*  
7 *further*, That the above penalty clause shall be in addition  
8 to, and not in substitution for, any other provisions of existing  
9 law.

10 SEC. 207. If at any time during the fiscal year 1945  
11 the termination of the Act entitled "An Act to provide tem-  
12 porary additional compensation for employees in the Postal  
13 Service", approved April 9, 1943, or of the Act entitled  
14 "An Act to provide for the payment of overtime compensa-  
15 tion to Government employees, and for other purposes",  
16 approved May 7, 1943, shall be fixed by concurrent resolu-  
17 tion of the Congress at a date earlier than June 30, 1945,  
18 the appropriations contained in this Act shall cease to be  
19 available on such earlier date for obligation for the purposes  
20 of the terminated Act and the unobligated portions of ap-  
21 propriations allocated for the purposes of such terminated  
22 Act shall not be obligated for any other purposes of the  
23 appropriation during the fiscal year 1945.

24 SEC. 208. This Act may be cited as the "National War  
25 Agency Appropriation Act, 1945".

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78TH CONGRESS  
2d Session

**H. R. 4879**

[Report No. 1511]

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## **A BILL**

Making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

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By **Mr. CANNON** of Missouri

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MAY 25, 1944

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

## POSTMASTERS

The following-named persons to be postmasters:

## ARKANSAS

James J. Sharum, Walnut Ridge, Ark., in place of C. C. Sfrapp. Incumbent's commission expired June 23, 1942.

## CALIFORNIA

Letha L. Ford, Oceano, Calif., in place of D. M. Montgomery, resigned.

Wallace J. Carter, Pismo Beach, Calif., in place of J. R. Simmons, resigned.

## DELAWARE

Joseph Harper Cox, Seaford, Del., in place of J. H. Cox. Incumbent's commission expired June 23, 1942.

## HAWAII

Charlotte M. Keala, Kamuela, T. H., in place of D. C. Pang, resigned.

## IDAHO

Letitia I. Glasby, Athol, Idaho. Office became Presidential July 1, 1943.

## ILLINOIS

Samuel L. Florest, Bellwood, Ill., in place of J. R. Engleman, resigned.

Daniel E. Brown, Crossville, Ill., in place of H. O. Given, transferred.

Michael Shannon, Johnston City, Ill., in place of R. C. Patterson, transferred.

## KANSAS

Julia E. Clouston, Ness City, Kans., in place of C. M. Cook, resigned.

## MARYLAND

Norman E. Ward, Rockville, Md., in place of G. L. Edmonds, deceased.

## MASSACHUSETTS

Irene S. Leary, East Pepperell, Mass., in place of T. J. Drummey, retired.

## MISSOURI

Harry M. Ward, Canton, Mo., in place of F. F. Page, deceased.

William W. Bledsoe, East Prairie, Mo., in place of K. E. Jackson, resigned.

Raymond E. McCause, Mount Vernon, Mo., in place of Robert Stemmons, resigned.

## NEBRASKA

Lola M. Aufdengarten, Arthur, Nebr., in place of O. D. Adkins, transferred.

## NEW YORK

Charles W. Craig, Binghamton, N. Y., in place of M. L. Sullivan, deceased.

## NORTH CAROLINA

Hazel A. Valentine, Nashville, N. C., in place of J. K. Bridges, Sr., removed.

Wiley E. Dunn, Williamston, N. C., in place of L. T. Fowden, resigned.

## NORTH DAKOTA

Gladys S. Dunn, Center, N. Dak., in place of S. J. Dunn, resigned.

## OKLAHOMA

Estella C. Lacy, Kingston, Okla. Office became Presidential July 1, 1943.

## PENNSYLVANIA

Edward A. Schoeffel, Evans City, Pa., in place of C. R. Wahl, resigned.

Robert Stanley Davis, Kimberton, Pa. Office became Presidential July 1, 1943.

Dorothea B. Wright, Morton, Pa., in place of G. G. Makens, resigned.

## SOUTH CAROLINA

William B. Gillespie, Effingham, S. C. Office became Presidential July 1, 1943.

## SOUTH DAKOTA

Jane Dunn, Elkton, S. Dak., in place of J. E. Dunn, deceased.

## VIRGINIA

William W. Argabrite, Blacksburg, Va., in place of J. H. Woolwine, retired.

## WISCONSIN

Norman L. Adams, Hancock, Wis., in place of R. E. Caves, transferred.

Grace A. Johnson, Merrimack, Wis. Office became Presidential July 1, 1943.

## CONFIRMATIONS

Executive nominations confirmed by the Senate May 25 (legislative day of May 9), 1944:

## IN THE ARMY

## APPOINTMENTS IN THE REGULAR ARMY

The following-named cadets, United States Military Academy, who are scheduled for graduation on June 6, 1944, for appointment in the Regular Army of the United States, under the provisions of sections 23 and 24e of the National Defense Act, as amended:

To be second lieutenants with rank from June 6, 1944

Henry Splese Aurand, Jr., et al.

(NOTE.—A full list of the names of the cadets graduating from the United States Military Academy, whose nominations to be second lieutenants in the Regular Army were confirmed today, may be found under the caption "Nominations" at the close of the Senate proceedings in the CONGRESSIONAL RECORD for today.)

## IN THE NAVY

## TEMPORARY SERVICE

Matthias B. Gardner to be a rear admiral in the Navy, to rank from July 19, 1943.

Marc A. Mitscher to be a vice admiral in the Navy, to rank from March 21, 1944.

John H. Hoover to be a vice admiral in the Navy, to rank from January 1, 1943.

George T. Owen to be a commodore in the Navy, to continue while serving as commander, Fleet Air Wing Fifteen, and commanding officer, naval air station, Port Lytautey.

## IN THE MARINE CORPS

## REGULAR SERVICE

## To be second lieutenants

Whitman S. Bartley	Coburn Marston
George A. Phillips	Lawrence F. Snoddy, Jr.
George P. Blackburn, Jr.	David A. Brewster
Wray C. Lewis	Clifford R. Buys
Philip H. McArdle	Burtis W. Anderson

## POSTMASTERS

## ALASKA

S. David Mazen, Nome.

## CALIFORNIA

Augustine P. Madril, Jamestown.  
Clifford E. Hammontree, Los Gatos.

## GEORGIA

Viola Browning, Arco.  
Thomas C. Conley, Blairsville.  
Leon M. Bleckley, Clayton.

## IDAHO

Betty G. More, Bayview.

## ILLINOIS

Michael C. Appleman, Atkinson.  
Walter H. Powers, Cambridge.  
Valentin W. Strelt, Eola.  
Walter J. Holt, Hanna City.  
Percy E. Ball, St. Elmo.  
Joseph B. Casassa, Spring Valley.

## INDIANA

Harry W. Ohming, Michigan City.  
Elsie E. Mitchell, Sweeters.  
James L. Wall, Winchester.

## KANSAS

Sarah Zoe Alley, Derby.  
Thomas J. McCarthy, Lansing.  
Dorothy E. Stewart, Nashville.  
Hudson O. Turner, Portis.  
Iona F. Helmke, Zenda.

## MISSOURI

Edna J. Donaldson, Diamond.  
James P. Payne, Gilliam.  
Ernest A. Hisle, Miami.  
Albert R. White, Nelson.  
Lou A. Kaylor, Shelbyville.  
Maude Dahl, Tipton.

## NEBRASKA

Edith E. White, Du Bols.  
George W. White, Fairmont.

## NEW MEXICO

Edward L. Manson, Clovis.

## NORTH CAROLINA

Alvah Early, Ahoskie.  
Russell Best, Calypso.

## VIRGINIA

Dennis L. Good, McGaheysville.

## WEST VIRGINIA

Donal E. Woods, Cowen.  
Seba J. Martin, Shinnston.

## WITHDRAWAL

Executive nomination withdrawn from the Senate May 25 (legislative day of May 9), 1944:

## POSTMASTER

## NEW YORK

Harry S. Hickey, Jr., Fredonia, N. Y.



# House of Representatives

THURSDAY, MAY 25, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou unto whom the darkness and the light are both alike, lead us unto Thee by our joys and by our sorrows; forgive our misinterpretation of Thy purpose, though painful and hard for us to understand. As this world of contention fails to renew the sinews of our hope and cheer, inspire us with an espousal of that cause that cannot fail: "One flag, one land, one heart, one hand, one Nation evermore."

Amid all tests that wring the soul, take from our hearts weary doubts, misgivings and suspicions which destroy the peace of mind that flows through the book of human experience. Thou who lovest all things, help us to apprehend Thee in the many emergencies which befall humanity, piercing the causes and earthly conditions which lure us by the elements of weakness and disobedience: "Let God arise; let his enemies be scattered; let them also who hate Him flee before Him." As smoke is driven away, so drive them away; as wax melteth before the fire, so let the wicked perish at the presence of God. Let the righteous be glad; let them rejoice before God; yea, let them exceedingly rejoice." O magnify Thy name above every name and vindicate our right to be servants of equal justice to all men.

"No foe shall stay our might;  
Though we with giants fight,  
We will make good our right  
To be a pilgrim."

Through Jesus Christ our Lord.  
Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### NATIONAL WAR AGENCIES APPROPRIATION BILL, 1945

Mr. CANNON of Missouri, from the Committee on Appropriations, reported the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes (Rept. No. 1511), which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. TABER. Mr. Speaker, I reserve all points of order on the bill, and I desire to propound a parliamentary inquiry at this time.

The SPEAKER. The gentleman will state it.

Mr. TABER. Mr. Speaker, on Tuesday afternoon prior to adjournment the gentleman from Missouri [Mr. CANNON]

asked unanimous consent in substance that it might be in order to take up this bill today and that all points of order against it be waived. There being no objection, that consent was given.

My parliamentary inquiry is: That bill not having been reported by the subcommittee to the full Committee on Appropriations or by the full Committee on Appropriations of this House, were points of order against the bill waived?

Mr. TABER. Yes; that is satisfactory. pardon an interruption before the Chair rules?

Mr. TABER. Yes, that is satisfactory.

Mr. TARVER. The gentleman, of course, is aware of the fact that no Member of the House, no member even of the full Committee on Appropriations except those on the subcommittee reporting the bill, were advised on Tuesday as to what the bill would contain when it might be introduced in the House; therefore, the request made on Tuesday by the chairman of the full Committee on Appropriations that all points of order against the bill be waived was a request that the Members waive all points of order against provisions with which they could not possibly at that time have been familiar.

Mr. TABER. That is unquestionably true because, of course, while the bill had been voted upon in the subcommittee it had not been voted upon in the full committee and might have been reported in a different form that in which the subcommittee reported it.

Mr. CANNON of Missouri. Mr. Speaker, if the gentleman will permit, this procedure is in keeping with the practice which has been followed as far back as any Member of the House can remember. It is always customary when a bill of this character is to be called up for the subcommittee to take one of two courses—either ask for a rule from the Committee on Rules or ask unanimous consent on the floor of the House. In this instance we decided to request consent on the floor in order to save the time which otherwise would be consumed in debate on the rule. It has been asked and granted a thousand times. This is the first time it has ever been questioned and certainly the first instance in which such a point of order has been raised.

Mr. TABER. Yes. According to my recollection, this same practice has been followed on numerous other occasions, although, frankly, I do not think this question which is now raised has ever been raised before on the floor of the House.

Mr. TARVER. Mr. Speaker, it has been my observation that unanimous-consent requests to waive points of order against appropriation bills have always been submitted after the bill has been reported.

I am not aware of any practice of coming in 2 days ahead of the reporting of a bill at a late hour in the afternoon when very few Members are on the floor and obtaining unanimous consent to waive points of order against a bill which has not even been formulated, not even introduced, not even as yet considered by the committee from which it is to be reported.

Mr. TABER. Mr. Speaker, I have known of at least 10 cases in the last 10 years where the same practice has been followed.

The SPEAKER. The Chair is prepared to rule.

On page 5006 of the RECORD of May 23 the following occurred:

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that it may be in order to take up the war agencies bill immediately after disposition of business on the Speaker's table on Thursday next, that points of order on the bill be waived, and that general debate be confined to the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. TABER. Mr. Speaker, reserving the right to object, the gentleman means points of order on matters contained in the bill?

Mr. CANNON of Missouri. Yes; only points of order on matters reported by the committee, not points of order that may be raised during consideration of any amendment that may be offered to the bill in the Committee of the Whole.

Mr. TABER. Did the gentleman incorporate in his request that debate be confined to the bill?

Mr. CANNON of Missouri. Yes; that debate be confined to the bill.

The SPEAKER. The gentleman's request is that all points of order on matters in the bill be waived; is that correct?

Mr. CANNON of Missouri. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

The gentleman from Massachusetts [Mr. McCORMACK] then asked if any arrangements had been made as to the period of general debate, and so forth.

Then the gentleman from Missouri [Mr. CANNON] said:

General debate will not exceed 1 day. We hope to begin reading the bill before the close of the day.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

It matters not how few Members were in the House of Representatives. The House was in session and the unanimous-consent request was made, which has been made in similar instances many, many times. It has been held that the Committee on Rules may report a resolution providing for the consideration of a bill which has not been introduced. When a rule is reported it can be adopted only by a majority vote of the House.



It would seem to the Chair that a unanimous-consent request about which there was no contest would be even stronger than that.

Mr. WOODRUM of Virginia. Would the Chair hold that the Committee on Appropriations, which does not have legislative authority, would have no right to report a legislative provision, unanimous consent having been obtained before the bill was even reported to the full committee, no matter what objectionable legislative features may have been put in the bill by the full committee, and yet when it comes to the House it would not be subject to a point of order?

The SPEAKER. Any time that any Member of the House desires to object to a request of this kind he may exercise his right to do it.

The Chair holds that points of order against the provisions in this bill have been waived.

Mr. CASE. Mr. Speaker, in view of the importance of this as a matter of setting a precedent, I respectfully appeal from the decision of the Chair and ask for recognition.

The SPEAKER. The gentleman from South Dakota [Mr. CASE] is recognized.

#### CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, I make the point of order that a quorum is not present. I think the Members of the House ought to be here to listen to this debate. This is one of the most important issues that has come up since I have been in Congress.

The SPEAKER. Evidently a quorum is not present.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

#### [Roll No. 68]

Allen, La.	Folger	Martin, Iowa
Andrews, Ala.	Ford	Morrow
Barden	Fulbright	Morrison, N. C.
Bell	Furlong	Mott
Bennett, Mo.	Gallagher	Murphy
Bolton	Gavin	Newsome
Bonner	Gilchrist	O'Neal
Boren	Grant, Ind.	O'Toole
Boykin	Green	Patton
Brehm	Griffiths	Pfeiffer
Brumbaugh	Gross	Philbin
Buckley	Halleck	Plumley
Burdick	Hays	Randolph
Burgin	Heidinger	Rees, Kans.
Byrne	Holmes, Mass.	Robison, Ky.
Cannon, Fla.	Hull	Satterfield
Capozzoli	Izac	Shafer
Carson, Ohio	Jackson	Sheridan
Carter	Jenkins	Simpson, Pa.
Cole, N. Y.	Johnson,	Smith, W. Va.
Compton	Lyndon B.	Smith, Wis.
Cooley	Jones	Stearns, N. H.
Costello	Judd	Sumners, Tex.
Dawson	Kearney	Taylor
Dewey	Kennedy	Treadway
Dickstein	Kerr	Vincent, Ky.
Dies	Kling	Wadsworth
Dirksen	Klein	Wastelewski
Disney	Knutson	Wene
Douglas	Lewis	Whelchel, Ga.
Durham	Luce	White
Eaton	McCord	Whitten
Elston, Ohio	Maas	Wolfenden, Pa.
Fernandez	Manasco	Wright

The SPEAKER. On this roll call 327 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings, under the call, were dispensed with.

#### WAR AGENCIES APPROPRIATION BILL

The SPEAKER. The gentleman from South Dakota [Mr. CASE] is recognized.

Mr. CANNON of Missouri. Mr. Speaker, I wonder if the gentleman would yield to me to make a request?

Mr. CASE. I yield.

Mr. CANNON of Missouri. The gentleman from South Dakota [Mr. CASE] is recognized for 1 hour. In order to insure equal debate I wonder if he would yield one-half of that hour to those in opposition?

Mr. CASE. I would prefer not to do so. I may say I do not intend to use the hour. I think that in 10 minutes I can state the issue. I intend to state it as clearly as I can, and explain the parliamentary situation involved, and try to avoid getting into any extraneous matters.

Mr. CANNON of Missouri. The gentleman will not yield to anyone?

Mr. CASE. I do not expect to yield to anyone, but expect to move the previous question as soon as I have concluded my presentation of the issue involved.

Mr. CANNON of Missouri. Does not the gentleman think the other side ought to be heard?

Mr. CASE. That side has been pretty well covered in the debate that occurred before the question arose.

Mr. CANNON of Missouri. Unfortunately the Member in charge of the bill was not recognized, and has had no opportunity to present the views of the subcommittee reporting the bill. It would be an extraordinary procedure for the gentleman to consume all the time he desires in presenting his version of the question and permit no one else to be heard.

Mr. CASE. I prefer not to yield at this time.

The SPEAKER. The gentleman from South Dakota declines to yield.

Mr. CASE. Mr. Speaker, I shall try to state the situation that is involved here as clearly and as fairly as I can. I had no desire to get into this situation. I have no particular ax to grind. There is only one question involved in my mind and that is the integrity of the legislative procedure of the House, and the integrity of the jurisdiction of the various committees. I have appealed from the decision of the Chair only by reason of the fact that, as the gentleman from New York [Mr. TABER] said, this is the first time this particular question has arisen. Here is the situation: A few days ago, the gentleman from Missouri [Mr. CANNON]—

Mr. CANNON of Missouri. Will the gentleman yield? I think it will be recalled that the gentleman from New York [Mr. TABER] said this was the first time the question had been raised by an appeal. He certainly did not say it was the first time this parliamentary procedure had been followed, because it has been followed a thousand times.

Mr. CASE. Very well. This is not the first time this thing has happened, but it is the first time it has happened precisely in this way.

If you will bear with me I think I will make that clear.

A few days ago the chairman of the Committee on Appropriations the gentleman from Missouri [Mr. CANNON] came before the House at the close of an afternoon session after legislative matters had been disposed of and at the end of the special orders, and asked unanimous consent that when the particular appropriation bill that is now under consideration for today, the bill to provide for the national war agencies, should be considered, it be considered with a waiver of points of order. He asked unanimous consent to that effect. The gentleman from New York [Mr. TABER] commented upon that briefly at the time but did not object, and consent was given.

The bill at that time had not been reported to the full Committee on Appropriations and was not reported to the full Committee on Appropriations until this morning. Nobody outside of the subcommittee at that time knew what would be in the bill. I think the membership is fully aware of the fact that the rule that an appropriation bill may not report legislation is for the protection of the jurisdiction of every other committee of the House.

I happen to be a member of the Committee on Appropriations, and possibly as much as any other member of the Committee on Appropriations I have been jealous of the rights of a member to make points of order against legislation in an appropriation bill, if I wanted so to do. By the same token I have been jealous of the prerogatives of the Appropriations Committee to protest appropriations made in legislative bills reported by other committees. However, under a practice of getting consent as was granted the other day it would be possible for any appropriation subcommittee to agree within its membership that it would report a bill providing legislative restrictions of one sort or another, or propose legislation of one sort or another, that ordinarily would come from any of the legislative committees of the House, and if the chairman and the ranking minority member should come before the House at a time when few Members were present and secure unanimous consent that points of order should be waived, then it would be possible to destroy, in effect, the legislative prerogatives of every legislative committee of the House.

The gentleman from New York [Mr. TABER], recognizing that situation today when the appropriation bill was reported, sought to reserve points of order.

He did not want the Appropriations Committee, himself, or the House, to be put in the position of failing to have points of order reserved at the time the appropriation bill was reported to the House. The Chair ruled that he could not reserve points of order at this time. From that decision I appealed and the gentleman from Mississippi [Mr. RANKIN], made a point of "no quorum." A vote will come on the appeal from the Chair's ruling.

Every Member of the House, I believe, is entitled to expect that if a waiver of points of order is to be made it will be



made at the time the appropriation bill is reported to the House. The House Manual, in a comment in paragraph 835 dealing with this subject, states:

It is the practice, therefore, for some Member to reserve points of order when a general appropriation bill is referred to the Committee of the Whole, in order that portions in violation of rule may be eliminated in the Committee.

I emphasize "when"—when the bill is referred to the Committee of the Whole. That is, in effect, when the bill is reported.

That decision was made by Chairman Chiddister, February 6, 1926, Sixty-ninth Congress, first session, page 3456, at a time when the question had been raised. Another man who served with some distinction in this House, Mr. Cannon of Illinois, cited the principle which was the basis of the Chair's ruling and the ruling was sustained on an appeal at that time. I seek to preserve that principle.

I am not quarreling with the immediate or the obvious decision of the Speaker so far as the RECORD is concerned. The RECORD shows, of course, that unanimous consent was asked and given that this bill be considered with points of order waived. But the way in which this situation differs from any that has previously arisen is that, notwithstanding that situation, this morning the gentleman from New York sought and was not allowed to reserve points of order against the bill at the time points of order are ordinarily reserved against an appropriation bill. This is the first time, as he indicated, that this particular situation has arisen.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CASE. I prefer not to yield for just a moment until I complete the sequence of my argument.

Mr. Speaker, the House will remember that a year ago we had some warm discussion on the issue involved at the time the agricultural bill was reported, when the ranking minority Member failed to reserve points of order. There was much protest on that occasion.

There is a remedy for this situation, that is, for the Appropriations Committee, when it feels that it is necessary to report an appropriation bill carrying legislation, to apply to the Committee on Rules for a rule waiving points of order.

If the precedent should be allowed to stand, the issue having been raised that the chairman and the ranking minority member of a subcommittee may come before the House at a time when no one expects it, when the legislative business is over, when few Members are on the floor, and ask for a waiver of points of order against a bill which has not even been written, let alone reported to the full committee, when no one outside the subcommittee can possibly know what legislation may be in the bill, then an unfortunate situation will have been created; then no committee will dare permit the House to be in session at any time without having some watchdog from that committee on the floor to prevent some other committee from reporting a bill trespassing upon its jurisdiction.

It is difficult enough for the average Member of the House to know when an appropriation bill is going to be reported. He does not have advance notice. An appropriation bill is a privileged measure; it can come up whenever the chairman of the subcommittee reports it and calls it up, which usually, of course, is during the morning hour or at least during the legislative portion of the day. But if they may come in at an unusual time and get a waiver of points of order, the legislative committees may find their jurisdiction violated time and again. That is why I appealed from the decision of the Chair, not that I question but what the ruling of the Chair was correct so far as unanimous consent having been given is concerned, but I do feel that when thereafter the ranking minority Member seeks to reserve points of order at the time the bill is reported, his right to do so should be preserved, and he should be recognized for that purpose.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CASE. So should the right of every Member of the House. I am just as jealous of the rights of the Appropriations Committee as other Members are of their committees, but I recognize—

Mr. CANNON of Missouri. I think the gentleman should yield.

Mr. CASE. I recognize that if the Appropriations Committee can bring in bills and fail to reserve points of order or even go further and expressly get consent to waive points of order, the balance of the membership of the House will refuse to let the Appropriations Committee have the prerogatives it now has.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CASE. So I am seeking not merely to preserve the rights and prerogatives of the legislative committees, I am seeking to preserve the Appropriations Committee itself, and in raising this question I also seek to preserve the right of any Member to reserve points of order at the time an appropriation bill is reported.

Mr. CANNON of Missouri and Mr. McCORMACK rose.

Mr. CASE. I must yield first to the gentleman from Massachusetts.

Mr. McCORMACK. Without discussing the merits of the gentleman's appeal, do I understand the gentleman is not going to give any Member an opportunity of presenting to the House views in support of the Speaker's ruling? Is that the position the gentleman intends to take? If so, it is an amazing proposition that the gentleman will move the previous question when but one side has been presented. The House, of course, would have to vote it down, but certainly the gentleman ought to give someone an opportunity without the necessity of arguing that the previous question be voted down, to present the arguments in support of the ruling which the gentleman says is correct, he just said the ruling was correct—

Mr. CASE. If the gentleman can cite anything to show I have not correctly stated the issue, I will yield for that purpose.

Mr. McCORMACK. Without getting into the merits, this is a matter involving the integrity of the House. Unanimous consent has been granted. We must take cognizance of the RECORD, of what has happened before. In the Seventy-sixth Congress, on January 11, the gentleman from Virginia [Mr. WOODRUM] submitted this request:

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that it shall be in order at any time after it is reported to the House to consider the joint resolution making additional appropriations for work relief and relief for the fiscal year ending June 30, and that all points of order against such joint resolution shall be considered as waived.

This is a matter where the integrity of the House is questioned. I am very sorry it has happened, but we have got to go by the RECORD. I am not going to argue with the gentleman on the merits.

Mr. CASE. This is not the first time an appeal has been made from a decision of the Chair. I have tried to get across this idea: I am not saying that unanimous consent was not granted; I am saying, however, that the Speaker has it within his discretion to recognize or not to recognize a Member to submit a unanimous-consent request at any time; and I believe the House by its vote now should say that the Speaker should not recognize a Member to request unanimous consent to report appropriations bills with points of order waived except at the time the bill is reported to the House.

That is the issue involved.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CASE. I yield to the gentleman from New York; I referred to him two or three times.

Mr. TABER. It seems to me that the fair thing to do is to have the thing brought out fully so that the House will understand just exactly what has happened, just exactly what the practice has been, and have the whole picture in mind before it casts a vote. The fair thing to do would be to yield some of the time for discussion to those who feel that the Chair should be sustained. Frankly, I feel that I would like about 10 minutes myself, because I am rather involved in this situation and I think the House should know just what the picture is.

Mr. CASE. Let me ask the gentleman this question: Why did the gentleman this morning seek to reserve points of order?

Mr. TABER. Because the gentleman from Virginia and some others in the committee felt that something had been done in an irregular manner, and I felt that we should have a ruling on the question as to whether or not the House by unanimous consent had the right in advance of a bill being reported and really being in existence as a bill to give such consent in the way that this was done and in the way that it has been done so many times before.

Mr. CASE. Mr. Speaker, I am going to decline to yield further and I do that for this reason: There are some highly controversial issues in this bill that if we get into a general discussion would get the question away from the strictly



parliamentary question involved in my appeal from the Chair. I could not yield generally without yielding to some who might raise those extraneous issues. So I am going to move the previous question, but just before doing so I want to make one further statement.

Mr. COX. Will not the gentleman yield?

Mr. CASE. Mr. Speaker, I am not going to yield further, and I say that with due respect to everyone. I can see if I yield any further that we are going to get far afield.

Mr. COLMER. Will the gentleman yield on the parliamentary situation?

Mr. CASE. The question involved is whether or not you want the Speaker to recognize Members to ask for the consideration of appropriation bills with points of order waived and let that recognition come at any time regardless of whether or not the bill has been reported to the House.

Mr. Speaker, I move the previous question.

Mr. McCORMACK. Mr. Speaker, I move that the appeal be laid on the table.

The SPEAKER. The motion of the gentleman from Massachusetts is preferential.

The question was taken; and the Chair being in doubt, the House divided; and there were—ayes 175, noes 54.

Mr. GATHINGS. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. Twenty-six Members have risen, not a sufficient number.

The yeas and nays were refused. So the motion was agreed to.

The SPEAKER. The motion offered by the gentleman from Massachusetts is agreed to, and the decision of the Chair sustained.

#### CORRECTION OF RECORD

Mr. DOUGHTON. Mr. Speaker, on page 5043 of the CONGRESSIONAL RECORD there appear two errors in connection with the conference report on S. 1758 submitted by me yesterday. In the first column of that page the heading "Simplification of individual income tax" should read "amendment of Section 451 of Tariff Act of 1930," and in the second column, in the body of the conference report, the matter beginning with the paragraph on amendment No. 5 should read as follows:

Amendment numbered 5: That the Senate recede from its disagreement to the amendment of the House No. 5, and agree to the same with an amendment, as follows:

"Omit the matter proposed to be stricken out by the House amendment, and in lieu of the matter proposed to be inserted by the House amendment insert the following: 'over highways or toll bridges'; and the House agree to the same."

I ask unanimous consent that the RECORD be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DOUGHTON]?

There was no objection.

The SPEAKER. The Chair desires to say that the Chair does not wish to rec-

ognize any Member to proceed for 1 minute. The Chair will recognize Members for unanimous-consent requests.

#### PARLIAMENTARY INQUIRY

Mr. CASE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CASE. Mr. Speaker, did I understand the Speaker to state that the decision of the Chair was sustained or that the appeal was laid on the table? The effect is perhaps the same.

The SPEAKER. The motion to lay the appeal on the table was agreed to, and the Chair was sustained. The ruling of the Chair was thereby sustained.

Mr. CASE. The Chair holds that the two things were involved in laying the appeal on the table?

The SPEAKER. They were in the disposition of the appeal.

#### EXTENSION OF REMARKS

Mr. BULWINKLE. Mr. Speaker, I have two unanimous-consent requests, first, that the speech of the Speaker of the House in the small rotunda of the Capitol yesterday be placed in the Appendix of the RECORD, and secondly, that a poem written by Horace B. Carlisle of the Architect's office on the centennial be included in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BULWINKLE]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an address by ex-Ambassador Joseph P. Kennedy, at the Maritime Day dinner held in the Copley Plaza Hotel, Boston, Mass., on May 22, 1944.

Mr. Speaker, I have an estimate from the Public Printer that this will exceed the amount allowed by \$114.40 and I ask that this may be included notwithstanding the estimate of the Public Printer.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. BARRY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BARRY]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from the city of Los Angeles and a resolution attached thereto.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. HOLIFIELD]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and I also ask unanimous consent to extend my own remarks in the RECORD and to include certain editorials with reference to a United States Senator from Louisiana.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. LARCADE]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. MYERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Philadelphia Daily Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. MYERS]?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

#### COMMITTEE ON THE JUDICIARY

Mr. CELLER. Mr. Speaker, by direction of the Judiciary Committee, I ask unanimous consent that that committee may be privileged to meet while the House is in session on Wednesday next to consider the contract renegotiation bill.

The SPEAKER. The Chair cannot entertain that request at this time.

#### EXTENSION OF REMARKS

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Philadelphia Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. BRADLEY]?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

#### PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to draw to the attention of the House a signal victory won in Italy by American forces which has been announced in papers that have just come out.

#### EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address delivered by Hon. Winston Churchill before the House of Commons on yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]



Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

Mr. MASON. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Illinois [Mr. DIRKSEN] be permitted to extend his remarks in the *RECORD* and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* and include therein two newspaper articles and material received from the Comptroller General.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

(Mr. MCGREGOR and Mr. LAMBERTSON asked and were given permission to extend their remarks in the *RECORD*.)

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* and include therein certain tabulations and correspondence in connection with the remarks I intend to make on the bill this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* and include therein some resolutions on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* and include therein an address on the essential need of an adequate peacetime merchant marine.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. HARRIS of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* and include therein a speech delivered by the Honorable

James L. Fly, at the centennial telegraph celebration last night.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

[The matter referred to appears in the Appendix.]

#### PERMISSION TO ADDRESS THE HOUSE

Mr. HARNESS of Indiana. Mr. Speaker, I ask unanimous consent that on Monday, at the conclusion of the legislative program of the day, and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, evidently some of the Members who have spoken are under a misapprehension in regard to the matter under discussion.

In the first place there seems to be an impression that the request made for the consideration of the bill was a departure from the established practice. On the contrary, it is a procedure followed for many years. And there would have been no objection to it on this occasion had it not been that the bill contained one provision on which certain Members of the House have a deep conviction.

And there arises the second misapprehension. It seems to be generally believed that this item is subject to a point of order—that it is legislation on an appropriation bill—and the gentleman from South Dakota [Mr. CASE] made his entire speech on that assumption. His argument was beside the point and could have no reference to the case in hand for the reason that this item is submitted by the Bureau of the Budget as being authorized under the war powers of the President. If that is true, a point of order would not lie and the order which was made yesterday for the consideration of this bill did not apply in any way to the appropriation for the Fair Employment Practices Committee.

It is a matter of surprise that the gentleman from South Dakota would peremptorily move the previous question without permitting anyone to discuss his motion but himself. I have never seen it done before.

But the fact remains that the item was transmitted to the House by the Bureau of the Budget under the following authority:

Whereas the successful prosecution of the war demands the maximum employment of all available workers regardless of race, creed, color, or national origin; and

Whereas it is the policy of the United States to encourage full participation in the war effort by all persons in the United States

regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders; and

Whereas there is evidence that available and needed workers have been barred from employment in industries engaged in war production solely by reason of their race, creed, color, or national origin, to the detriment of the prosecution of the war, the workers' morale, and national unity:

Now, therefore, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States and Commander in Chief of the Army and Navy, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of any person in war industries or in Government by reason of race, creed, color, or national origin, and I do hereby declare that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this order, to eliminate discrimination in regard to hire, tenure, terms, or conditions of employment, or union membership because of race, creed, color, or national origin.

FRANKLIN D. ROOSEVELT.  
THE WHITE HOUSE, May 27, 1943.

Mr. Speaker, I have been a Member of the House for nearly a quarter of a century, and all that time I have never been accused of sharp practice, and I certainly do not want to depart from that record at this late day.

It means no more to me than to any other Member of the House whether this bill becomes a law. There is not an item in the bill in which I am personally interested. There is no reason why I should resort to questionable methods to secure passage of the bill or any item in it. And this particular item which has occasioned the discussion I did not consider as in any way affected by the order. If it is authorized under the war powers of the President it will stay in the bill—order or no order—until and unless it is voted out by a majority of the House. So what could I have to gain by taking advantage of the House and the Nation in any such manner?

My only purpose in asking for the order was to expedite consideration of the bill in the usual way. That is shown by the fact that after we had agreed to ask for an order the gentleman from New York [Mr. TABER] referred to this item and suggested that I call up a member of the committee who had discussed it and who did not happen to be present at the time.

In response to Mr. TABER's suggestion, I called up the member over the telephone and asked if it would be all right to present a unanimous request to the House. He said, "Go ahead; that is the thing to do."

Mr. HOFFMAN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. The point of order is that debate must be confined to the bill, and the gentleman is now talking about the question of waiver of points of order, which has nothing to do with the bill.



The SPEAKER. The gentleman is not speaking to the bill. He is speaking under a unanimous-consent request.

Mr. CANNON of Missouri. Mr. Speaker, to be certain that every Member of the House is given every opportunity to exercise his parliamentary rights—or what he construes to be his parliamentary rights—and in order to demonstrate the innocuous effect of the order on the particular item in question, I ask unanimous consent that the special order for the consideration of the bill be modified so as not to apply to the item on page 9 of the bill, beginning with line 11 and concluding with line 24.

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, it seems to me that all of this maneuvering would make it possible to make a point of order against the appropriation of \$500,000 for the F. E. P. C. This request would vacate the unanimous-consent request heretofore granted which prohibits points of order against the F. E. P. C. item. Therefore I object.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield, but I am not going to yield my right to object.

Mr. CANNON of Missouri. I trust the gentleman will not object. The item is not affected by the order for consideration of the bill.

Mr. MARCANTONIO. I am not going to take any chances. I object.

Mr. TABER. The question has not been put or the request made.

The SPEAKER. The gentleman's request is that the order be set aside with respect to the item beginning on page 9, line 11.

Is there objection to the request of the gentleman from Missouri?

Mr. MARCANTONIO. I object.

The SPEAKER. The gentleman from New York objects.

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Speaker, this is just a little post mortem. I would not take the well after the whole thing is decided except for the fact that the gentleman from Missouri referred to me. While the Members of the House might not know to whom he was referring, the members of the Committee on Appropriations knew to whom he was referring. He said I had taken the lead in it. I am sure you wondered of whom he was speaking, because I have not said anything about it here at all. No one has heard me open my mouth on the point of order or anything else.

I was opposed to the inclusion of this item for the Fair Employment Practice Committee in the deficiency bill, for the reason that I did not think it was authorized by law. The House Committee on Labor evidently does not think it is authorized by law because it already has hearings set down to consider the substantive legislation for it. I have always taken the position, as have the gentle-

man from South Dakota and other members of the committee, that the Committee on Appropriations ought not to try to bring legislation in on the floor of the House. For that reason, in the full committee I called attention to the fact that this unanimous consent secured 3 days before the bill was formulated or reported, before even the chairman of the committee and the minority member knew what would be in the bill, was a proceeding I have never known of. If it has been invoked, it ought not to be invoked any more. If it is the rule of the House now, the rules of the House ought to be changed, because I do not think the Appropriations Committee of the House, of which I am a member, ought to have the right to come into this body and ask unanimous consent to waive points of order on a bill when the members of the committee themselves do not know what is in the bill and before the bill is even reported.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. TABER. I just want to call the attention of the gentleman to the fact that on June 2, 1941, he made a similar request prior to the reporting of a relief bill.

Mr. WOODRUM of Virginia. If it was prior to the reporting of it, I will say to the gentleman that it was at the noon hour of the day, when the House was in session. The gentleman from New York was present. The gentleman from New York reserved the right to object and painstakingly outlined to the House at that time what was in the bill that would be subject to a point of order. The gentleman upon that occasion was scrupulously careful to see to it that the House knew what they were agreeing to when they did it. But in this case it was at 5:30 in the afternoon. Few Members of the House were present. The gentleman from New York and the gentleman from Missouri both knew that there was a provision in this bill to which many Members of the House did violently object.

Mr. TABER. Frankly, I thought that the gentleman from Virginia had been advised that the request was to be made.

Mr. WOODRUM of Virginia. I was advised. I am glad the gentleman reminded me of that. That is quite true.

Mr. TABER. I did not advise the gentleman.

Mr. WOODRUM of Virginia. No. That is quite true. The gentleman from Missouri called me and asked me if it would be agreeable to make a unanimous-consent request to make the bill in order, in order to avoid going to the Committee on Rules, and I said it was agreeable. Nothing whatever was said about waiving points of order. That is usually done when the bill is reported.

Mr. CANNON of Missouri. The only purpose for which we could have made such a request was to waive points of order, because under the rules of the House general appropriations bills are privileged and we could bring the bill up at any time, consent or no consent.

Mr. WOODRUM of Virginia. Not at all.

Mr. HOFFMAN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. The point of order is that the gentleman from Missouri has not addressed the Chair.

Mr. WOODRUM of Virginia. That is all right; I yield to the gentleman from Missouri.

The SPEAKER. The gentleman belongs to the vast majority. However, the gentleman from Virginia yielded to the gentleman from Missouri.

Mr. WOODRUM of Virginia. This is a tempest in a teapot, and it is all over. I do think it is a serious situation about the rules, entirely aside from any question of the merits involved in this item that is involved in the bill. If the Committee on Appropriations has that power, then I think the power of our committee in the interest of the other legislative committees of this House ought to be curtailed by some definite action of this House in amending the rules.

Mr. COLMER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COLMER. The gentleman from Missouri asked unanimous consent to vacate the unanimous-consent request granted. That was objected to by the gentleman from New York. Would it now be in order for the gentleman from Missouri to move to vacate it?

The SPEAKER. Such a motion would not be privileged. It would have to be done by unanimous consent.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Would it be in order for the Committee on Rules to bring in a rule setting aside this monstrosity waiving points of order?

The SPEAKER. The Committee on Rules may bring in a rule at any time changing the rules of the House or making a bill in order, just as the House can do it by unanimous consent.

Mr. COX. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COX. Would a motion to strike this item from the bill when it is reached be in order?

The SPEAKER. It would be in order.

Mr. CANNON of Missouri. Mr. Speaker, I desire to ask the Speaker if he will recognize me at this time to move to suspend the rules and amend the order.

The SPEAKER. The Chair is not privileged to recognize Members today to suspend the rules. The gentleman, being a great parliamentarian, at one time Parliamentarian of the House, and a very able one, knows that there are only 2 days in the month in which it is in order to make that motion.

Mr. CANNON of Missouri. I desire to exhaust every possible parliamentary resource in order to amend this order.



Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. Will the gentleman ask the Committee on Rules for a rule to correct this?

Mr. CANNON of Missouri. I would welcome a rule from the Committee on Rules, and shall be glad to go before the committee with the gentleman and support a request for a rule.

Mr. RANKIN. If the gentleman will yield further, I will say to the gentleman from Missouri that this goes to the very root of the integrity of the proceedings of this House. It is the most dangerous thing that I have seen occur since I have been a Member. I hope the gentleman will call on the Rules Committee for this correction and that the Rules Committee will give it. If the gentleman does not do it, this is the beginning of the end of parliamentary government in this country.

Mr. CANNON of Missouri. I say to the gentleman very sincerely that at the time this request was made there was no thought of this particular item as far as I was concerned. The only purpose was to secure the usual order. That is conclusively borne out by the fact that I have never had the slightest idea that the item in which the gentleman is interested is subject to a point of order. The only desire was to adopt the usual method of expediting the consideration of a bill. As an afterthought, we took the precaution to notify in advance the only member of the subcommittee who had expressed any interest in the elimination of the item.

I have made this request repeatedly in the consideration of appropriation bills. I made it on House Joint Resolution 280 only a couple of weeks ago, and no one objected. Now that the objection has arisen, I have exhausted every opportunity and every parliamentary resource to amend the rule.

Mr. HOFFMAN. Mr. Speaker, I make the point of order that the gentleman now addressing the House is not proceeding in order.

The SPEAKER. The Chair suggests that the gentleman from Missouri is proceeding by sufferance.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Louisiana.

Mr. BROOKS. In the interest of fairness, the gentleman told me that the bill had not been completed and had not been approved by the full committee. I asked the gentleman specifically in reference to one item covering the fair labor practices, and the gentleman would not impart any information regarding that item to me at that time.

Mr. CANNON of Missouri. The gentleman knows that is the immemorial practice of all of the major committees of

the House, the Ways and Means Committee, the Appropriations Committee, and all others. It does not rest with the Member in charge of a bill to follow his personal preferences in such matters. He is bound by inflexible rules which have come down to us from the past and for which there are the weightiest of underlying reasons. It is an imposition to ask a Member, however warm and intimate his friendship, to violate a rule of the House.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. May I ask the gentleman if he and the ranking minority member from New York were aware that this controversial matter would be in the bill when he made the request?

Mr. HOFFMAN. Mr. Speaker, I make the point of order that the gentleman from Pennsylvania has not addressed the Chair.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I addressed the Chair when I asked the gentleman from Missouri [Mr. CANNON] to yield.

The SPEAKER. The gentleman from Pennsylvania [Mr. BRADLEY] did address the Chair when he asked the gentleman from Missouri to yield.

The gentleman from Missouri [Mr. CANNON] has the floor for half a minute.

Mr. BRADLEY of Pennsylvania. I ask the gentleman if he and the ranking minority Member, the gentleman from New York, were aware that this matter which is now in controversy would be in the bill when the request was made.

Mr. CANNON of Missouri. I will say to the gentleman frankly that I do not remember whether it was before or after the final action on the item. It would have made no difference one way or the other. I did not consider it subject to a point of order.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. MARCANTONIO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARCANTONIO. Mr. Speaker, can this order be vacated in the Committee of the Whole?

The SPEAKER. It cannot.

Mr. MARCANTONIO. I simply want it for the record.

The SPEAKER. No action of the House can be vacated in the Committee of the Whole.

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TABER. I knew at the time this request was made that this item was in the bill.

Mr. WOODRUM of Virginia. Mr. Speaker, will the gentleman yield?

Mr. TABER. Yes.

Mr. WOODRUM of Virginia. The gentleman from Missouri [Mr. CANNON] says he did not know about it. Does the gen-

tleman recall we had two roll calls in the Committee, during which we had to send out for reserves to vote on it?

Mr. TABER. No; it was five roll calls. Mr. WOODRUM of Virginia. It was five; that is right.

Mr. CANNON of Missouri. I must correct the gentleman. I did not say I did not know about it. I said I did not remember whether I telephoned before or after final action was taken. It is inconsequential, anyway.

The SPEAKER. The time of the gentleman from New York [Mr. TABER] has expired.

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes; and, pending that motion, I ask unanimous consent, if it meets with the approval of the gentleman from New York [Mr. TABER], that debate be confined to the bill, and continue for the remainder of the day, at the conclusion of which the first paragraph of the bill be read.

Mr. TABER. Mr. Speaker, reserving the right to object, we have already consumed much time out of the debate and I am afraid we cannot get along with just the rest of the afternoon and we will need an hour or an hour and a half tomorrow, and perhaps 2 hours. I do not think we should interfere with our finishing the reading of the bill, because I do not believe there are items that will be controverted. I do not think we can expedite the thing by trying to choke down the debate too much. I think we had better just have it continue through today and if we can get through, all right; and if we cannot, then we can go along for a little time tomorrow.

Mr. CANNON of Missouri. The gentleman refers to choking down debate. The gentleman will recall we had agreed in advance that debate should last 1 day and that we should read the first paragraph of the bill before adjournment tonight. I have no objection to debate going on tomorrow if the gentleman from New York wishes it, but I do object to any inference that I desire to choke debate. I have always at all times advocated full and free debate, and the only reason I have made the request that debate run for 1 day is that the gentleman from New York and I conferred and mutually agreed to that effect. If there is any proposition to choke debate it is the gentleman's proposition as it was his agreement.

Mr. TABER. I was not criticizing anyone, but I was simply stating a fact. We would have to choke down debate if we finish today.

Mr. CANNON of Missouri. If it would choke down debate it is the gentleman's proposition. He has not notified me of any change of plans.

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Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.



Mr. McCORMACK. I might say, Mr. Speaker, it was my intention today to ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow. I intended to do that later on in the day. If the gentleman from Missouri [Mr. CANNON] yields to me for that purpose I would like to make that request at the present time.

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### WAR AGENCIES APPROPRIATION BILL

Mr. TARVER. Mr. Speaker, reserving the right to object, may we be assured if you do finish general debate today you will not begin the reading of the bill for amendment today?

Mr. CANNON of Missouri. I would like to confer with the gentleman from New York [Mr. TABER] on that. When does the gentleman from New York desire to begin the reading of this bill?

Mr. TABER. I do not think we ought to definitely close debate today. I think we ought to continue through today, and if we can finish it, all right; that is, taking care of reasonable demands. If not, we ought to have some time tomorrow. We ought to take care of reasonable demands for debate. I feel that would be better than to operate wildly under the 5-minute rule and take an hour and a half on an amendment.

Mr. CANNON of Missouri. Mr. Speaker, under previous order of the House all debate is confined to the bill. I will say it is my intention in the debate on this bill to recognize any Member and every Member from either side of the House as long as anybody wants to be heard on the bill.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think that is a simple question that can be answered. The gentleman from Georgia [Mr. TARVER] asked if there would be no amendment offered today, and if the debate should close that there be no reading of the bill for amendment. Cannot the gentleman state to the House that there will be no amendments offered to the bill this afternoon and no reading of the bill for amendment?

Mr. CANNON of Missouri. We have already agreed that the bill should not be read this afternoon and already agreed that general debate will go over to tomorrow.

Mr. McCORMACK. In other words, there will be no reading of the bill for amendment.

Mr. TARVER. I thank the majority leader.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that one-half of the time be controlled by the gentleman from New York and one-half by myself.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Missouri [Mr. CANNON] is recognized.

Mr. CANNON of Missouri. Mr. Chairman, this bill comes at a crucial period in the war. We are now entering on the last phase of the conflict. The period of planning, the period of plant construction, the great period of preparation has passed. Our Army has been mobilized and trained and is ready. Ample facilities, food, weapons, and munitions are being supplied. We are on the eve of what is expected to be the last decisive drive of the European War.

It follows then that this bill, which deals with a wide diversity of subjects, all connected directly with the war, and which covers practically every field of operation in the war, will show the effects of the declining need for urgent and precipitous preliminary action which characterized the previous bill and like bills, enacted in the early part of the war.

The situation has changed. The emphasis has changed. The sphere of activity has shifted to the other side of the water. So we are glad to bring to the House a bill which marks a decrease in the annual appropriations for all but half a dozen of the numerous war agencies involved—not merely a decrease but a radical decrease in some respects and in some agencies. Some of the war activities are eliminated altogether. Others were drastically reduced. In only two of all the war activities, provided for in the bill, is any material increase recommended, namely, Office of Strategic Services and Office of War Information.

We have been in a position to give more attention to this bill than to similar bills presented heretofore. The reduced pressure of the war situation permitted us to exercise greater circumspection in its preparation. We have held hearings for approximately 2 months. The transcript of the hearings which was released last week, although it necessarily excludes much confidential information given the committee, covers over 1,800 pages. Committee investigators were on duty in the preparation of the bill, in connection with several agencies, and every attention was given any prospect for retrenchment. Final action on an item was largely reduced to the consideration of two questions. First, whether the proposed appropriation was essential to the war program; and, second, what was the minimum amount that could be

provided to secure adequate and efficient service by the agency.

The result of this long and exhaustive conference and research is presented in the pending bill. As is the custom of the committee and as has been our practice on all war supply bills, we present a unanimous report approved by every member of the committee.

I trust the Members of the House will find time to read carefully and critically the report and the hearings. In the years to come, when the history of this vast conflict is finally written, no historian can write the story and no historian will write it without reading this report and these hearings. It is a chapter—it is an indispensable chapter—in the history of the war. If time is lacking for a detailed reading of all of the hearings, I trust the Members of the House and all who are interested will at least read the opening statements made by the heads of the various agencies, with which we always preface the hearing before the committee. It is a record not only essential to a complete understanding of the war; it is a record which every American citizen can read with pride. It is a record preliminary to the victory which our armed forces will achieve with the cooperation of the activities provided for in this bill.

Taking the items in the bill categorically as they appear in the report, the committee recommends for the Office of Censorship approximately the amount appropriated for the current year. Censorship of press and radio is on a voluntary basis and the committee desires to take advantage of the opportunity to comment on the splendid cooperation both of the press and the radio industry. In striking contrast with the exercise of censorship in the First World War there have been no problems nor criticisms of sufficient difficulty to reach the public ear.

There was some question in the committee as to whether the amount recommended would be sufficient, as in addition to the ordinary duties of censorship, the Office deals with mail and messages which constitute the principal costs, costs which are steadily increasing. However, it is believed the amount carried by the bill will be sufficient for present needs and if exigencies arise requiring additional funds they can be provided by deficiency appropriations.

The Petroleum Administration for War is given the funds considered essential for the current year. It should be mentioned that this activity, dealing with the lifeblood of all war machinery; supplies without which neither Army, Navy, nor Air Force could operate a single hour has been unusually well administered. It is a source of gratification that in a war area stretching from the Tropics to the Arctic Circle there has been no instance in which oil and gas have been lacking on any front.

The Selective Service System for supplying manpower for the Army has been given a decrease of a little over \$2,000,000 below the amount of the Budget estimate. It seemed to the committee, in



view of the fact that the Army has now apparently reached the objective which our military authorities agreed upon, its slackening activities permitted a decrease in appropriation. At the same time it was necessary to take into consideration the fact that the agency is also engaged in handling honorably discharged servicemen released from the armed forces which up to last March aggregated 1,200,000 men and which are now returning to civil life at the rate of 100,000 a month. Due to this fact it was felt that while the work could be performed at something less than the Budget estimate, the reduction should be gradual and \$2,000,000 was considered ample under the circumstances.

The Office of Strategic Services, which has been given an increase, operates under the efficient direction of Brigadier General Donovan, as an agency of the Joint Chiefs of Staff. Its principal functions consist of intelligence work. In view of the fact of its rapidly accelerating activities and its increased needs, especially its prospective demands within the next few months, the Budget increase was allowed. It is to be regretted that this appropriation could not be more fully discussed in the record, but that was inexpedient for the reason that it deals with matters in which secrecy is essential and much of the testimony could not be placed on record.

For the Division of Central Administrative Services a very material reduction was made. This agency has been rendering centralized administrative functions for a number of the war agencies.

Committee investigators have made two studies and reports on the operations of the Division and its relationship to the agencies serviced. Undoubtedly at the outset of war agencies the function of the Division saved considerable time and funds in the process of the organization of the agencies and in starting them operating. All agencies are now on a completely organized basis.

The committee is convinced that there exists as between the Division and the agencies served a considerable amount of lost motion and duplicated expense. Practically all agencies have the necessary supervisory personnel to direct these functions without additions to staffs for this purpose. Many of them now are obliged to perform some part of a function carried on for them principally by the Central Administrative Services before the latter can continue the carrying out of the function.

Data received by the committee from the Central Administrative Services as to cost of performance of certain of these functions for the agencies, compared with data furnished by the agencies as to what they estimate they could take over these functions for themselves, indicate a wide divergency in cost. The functions reported on for the agencies contacted show a reported cost by Central Administrative Services for performing the functions of \$5,671,921 and the agencies' own estimates for performing these same functions total \$2,968,701, or \$2,703,220 less than the cost reported by Central Administrative Services. The

committee recognizes that there are some variables in these cost figures. The Central Administrative Services' reported cost is on an estimated basis and not on a cost-accounting basis—a figure which is not kept or available. The agencies' estimates may not be complete, yet on the basis of experience the committee is inclined to feel that they would be more likely to overestimate than underestimate. The difference of \$2,700,000 is too sharp a spread in costs to be ignored.

It is the committee's recommendation that many of these functions can be performed by the agencies themselves at reduced cost. It is recognized that the central duplicating function and the central switchboard operation in Washington cannot be distributed to agencies. They present no special problem. The duplicating function could be handled by whatever agency is the largest customer of the plant and be at least as efficiently run—such agency in this case is the War Production Board. The central switchboard function could be effectively handled by the Public Buildings Administration, which has familiarity with such operations in connection with management of public buildings.

Manifestly it is impossible for the committee to make an administrative determination of the matter. It requires handling both for the District of Columbia and field operations. The decrease of \$1,350,000 is made on the basis of one-half cut in the amount of difference in the figures above quoted, which are on an annual basis. It will take time to make the necessary changes and the committee has left those for administrative action. The language of the bill has been adjusted to make possible retransfer of funds from Central Administrative Services to agencies and transfer of functions can be accomplished within the framework of existing law.

The Office of Civilian Defense has suffered the greatest reduction both in comparison with the appropriations for the current year and in comparison with the Budget estimates, of any item in the bill. While there is a general understanding that danger of invasion by enemy forces has now largely passed and on that account many of the activities of this Office could be dispensed with, it was felt upon the advice of the military authorities and those in position to pass upon the question, that the time has not yet arrived when it could be entirely eliminated, and for that reason an appropriation of \$1,000,000 was retained in the bill. As will be noted from the figures in the report, the decrease in Federal funds is from \$4,700,000 for 1944 to \$1,000,000 for 1945 in total. The sum allowed is divided into two component parts for separate activities. The amount for civilian defense activities is \$538,500, compared to a total for the present fiscal year of \$4,000,000, a decrease of \$3,461,500, or 86.5 percent, and \$100,000 under the Budget estimate. The main portion of the sum recommended is for the Division of Federal-State Corporation.

No regional offices are provided for the fiscal year 1945 and contacts with States by field representatives will be made by

personnel traveling from 4 field offices to be maintained at San Francisco, Chicago, New York, and New Orleans. Full-time civilian personnel as of June 30, 1943, was 1,142, reduced to 655 on December 31, 1943, to 295 on March 31, and provision is made for the fiscal year 1945 for a total of 132. Military personnel assigned to the Office of Civilian Defense will consist of 27 from the Army and 6 from the Public Health Service—the latter on a reimbursement basis—contrasted with the present number of 46 from the Army and 6 from the Public Health Service.

The amount recommended for accounting, handling, warehousing, and shipment of Government property for civilian-defense purposes is \$461,500 against a Budget estimate of \$500,500 and a current administrative fund of \$700,000. An original appropriation of \$100,000,000 was made for procurement of gas masks, fire-fighting apparatus and equipment, protective clothing, and medical equipment and supplies, for use in connection with defense against air raids and enemy attack. Of this amount approximately \$53,000,000 was expended and property to the extent of \$43,000,000 has been loaned to States and local communities and approximately \$10,000,000 is centralized in three warehouses located at New Castle, Ind., Hanover, Pa., and Salt Lake City, Utah. Title to all of this property is in the United States. The amount allowed will provide for warehousing the inventory, redistribution and reallocation, and reshipment of equipment now loaned to local communities, and keeping of records of all property.

The Committee for Congested Production Areas, however, which served a needed purpose in the early days of the war when new plants were being started, and when industrial centers were being built up overnight and congested populations required facilities which could not be locally supplied, is no longer essential, and the committee felt that the situation in the production areas was now sufficient to warrant complete elimination of the activity. On that account the Budget estimate was denied.

[Mr. CANNON of Missouri addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. TABER. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I read with great interest a statement given to the press of the Nation by Mr. Elmer Davis, Chief of Office of War Information, as to his intentions, relative to the handling of political news overseas.

Mr. Elmer Davis' avowal of impartiality in reporting the forthcoming political campaign to the world fails to impress those who have heard similar expressions from the O. W. I. Chief many times in the past only to find that such assurances were given with tongue in cheek.

Mr. Davis could not be any more impartial than Harry Hopkins, David Niles, Felix Frankfurter, Sidney Hillman, or Earl Browder. He is completely allied



with this group of fourth-term drum beaters. For him even to suggest that under his direction the O. W. I. would report political news without regard to partisanship is an insult to all those who are familiar with his record.

There is pending in the House a resolution which I recently offered, providing for the establishment of a bipartisan committee to review the material distributed by governmental agencies with regard to insuring the impartiality of which Mr. Davis speaks. He opposed that resolution.

If he is sincere in his promise to give the world a factual report on the coming Presidential and congressional campaigns, free from fourth-term coloring, why does he object to such a committee of Congress reviewing material distributed and broadcast by his agency?

On the face of it, it would appear that Mr. Davis is up to his old tricks and that under his direction we can expect a continuation of his political propagandizing in the months to come.

#### CALL OF THE HOUSE

Mr. KEEFE. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN. Evidently no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

#### [Roll No. 69]

Allen, La.	Gallagher	Manasco
Andrews, Ala.	Gamble	Martin, Iowa
Arends	Gavin	Mason
Baldwin, Md.	Gearhart	Merritt
Barden	Gifford	Mierow
Bell	Gilchrist	Monroney
Bennett, Mo.	Grant, Ind.	Morrison, La.
Bolton	Green	Morrison, N. C.
Bonner	Griffiths	Myers
Boren	Gross	Newsome
Boykin	Hagen	Norton
Bradley, Mich.	Harless, Ariz.	O'Brien, Mich.
Brehm	Hays	O'Neal
Buckley	Hébert	O'Toole
Bulwinkle	Heffernan	Patton
Burdick	Heldinger	Pfeiffer
Burgin	Hinshaw	Pracht,
Butler	Holmes, Mass.	C. Frederick
Byrne	Horan	Ramey
Cannon, Fla.	Hull	Ramspeck
Capozzoli	Izac	Randolph
Carson, Ohio	Jackson	Rees, Kans.
Carter	Jenkins	Robison, Ky.
Celler	Johnson,	Rowan
Clark	Calvin D.	Satterfield
Cole, N. Y.	Johnson,	Sauthoff
Compton	Lyndon B.	Shafer
Costello	Johnson, Okla.	Sheridan
Curley	Jones	Simpson, Pa.
Curtis	Judd	Smith, W. Va.
Dewey	Kearney	Smith, Wis.
Dickstein	Kennedy	Stearns, N. H.
Dies	Kerr	Stigler
Dirksen	King	Stockman
Disney	Kleberg	Sumner, Ill.
Douglas	Klein	Sumners, Tex.
Durham	Knutson	Taylor
Eaton	Larcade	Treadway
Eberharter	Lea	Vincent, Ky.
Elliott	Lewis	Vursell
Fernandez	Luce	Wasielewski
Fitzpatrick	McCord	Wene
Folger	McLean	White
Ford	Maas	Wolfenden, Pa.
Fulbright	Maloney	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee,

having had under consideration the bill H. R. 4879, and finding itself without a quorum, had directed the roll to be called, when 293 members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The Committee will resume its sitting.

Mr. TABER. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, the chairman of the Committee on Appropriations has quite fully discussed most of the items in this bill. I shall only call attention to a few of them, although I shall be prepared to answer questions on any subject that anyone cares to ask. I shall only call attention to the few that I feel are subject to considerable criticism.

First, Office of Civilian Defense. This item has been cut down from a current appropriation of \$4,700,000 to \$1,000,000. Frankly, I think that the appropriation for civilian defense activities is away out of sight for what they have to do. If they have anything at all to do, it is simply to maintain a small organization which should not cost over \$50,000 at the most.

They have a certain amount of property they have to look after. It probably runs into many millions of dollars, \$50,000,000 to \$60,000,000, although it will not sell for that much when we are through.

On the other hand, their activities are down to almost nothing. They have regional offices all over the country they do not need. They told us that one of the principal reasons they had for maintenance of their national office and the regional offices was that the State War Councils and the people of the States who were mixed up with the Office of Civilian Defense would not do anything unless they told them to. They cited as an illustration the organization in Rhode Island, where it was necessary for a representative from Washington to go up there to tell the local civilian defense organization to cooperate in a Government bond drive. Just imagine such a thing as that. They had them so well trained that they would not operate unless they pressed the button here in Washington.

Frankly, the folks up in my territory would not stand for that kind of training. They are not that way. They are prepared to take part in all sorts of activities to support the war effort without any punching of the button from Washington. I believe that with these regional offices and the set-up here in Washington they have a good deal more money than they need.

I want to say a word or two about the the Committee on Fair Employment Practice and the way it seems to me the colored folks have been treated. This Committee came before us, and the first activity they mentioned that required their efforts and kept them busy was to do away with discrimination against German aliens in employment in war industries. Just imagine, laying to the colored man such a performance as that. I wonder if the colored man is dumb enough to put up with that kind of per-

formance. Frankly, I told those people that that kind of business was entirely improper and that I hoped this would be the end of that kind of performance. A very substantial portion of their activity was devoted to that sort of thing. It is all set forth in the hearings. Just think, a governmental agency chasing around to a manufacturer who has a war contract and telling him that he has to employ German aliens in that place, when we are spending millions of dollars for the F. B. I. and other governmental organizations to protect the United States of America and the war effort from just that sort of thing.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kentucky.

Mr. MAY. I regret to expose my ignorance about this thing, but what is this organization? Where did it originate, and what does it do?

Mr. TABER. This is the Fair Employment Practice Committee, headed by Malcolm Ross.

Mr. MAY. How was it created? I do not recall voting to authorize it?

Mr. TABER. It was created by Executive order. They claim that the authority for the Executive order was one of the War Powers Acts we passed. I do not know whether it is or not.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. RABAUT. On page 13 of the report is a short paragraph of explanation:

The minority groups affected by the order fall into four broad classifications—Negroes, religious groups, aliens, and workers of other national origins. Of the cases pending at the time of the hearings, 78 percent affected Negroes, 10 percent affected religious affiliation, 7 percent affected aliens, and 5 percent affected workers of other national origins.

If a Government contract is involved, they would not have aliens working under a Government contract.

Mr. TABER. All I know is what Mr. Ross told us. He said that the authority for his attitude was the Executive order.

I will say this for the outfit. They sent a man around to see me afterward, after the hearings were over. They said they had had a meeting and had agreed that they would not operate that way any more, that they would stop this job of trying to do away with discrimination against German aliens as to employment in war plants. If they had not said that, I would be here trying to throw that thing out, because I would not stand for that kind of thing in a bill. I hope and believe that that activity of the organization is ended. I do not like the idea of any organization in the Government advertising that it is an organization to promote fair practices for the Negroes and getting involved in such a thing as that.

The Coordinator of Inter-American Affairs has a very substantial appropriation. On the other hand, it is not as large as it was last year. It is down a very substantial amount, and we have the



assurance of the Coordinator that as soon as the war is over, it is over.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Arkansas.

Mr. NORRELL. Speaking of other nationalities being represented on this board, I wonder if the gentleman knows if there is anyone representing the Finns on the board, or the Poles, or the Czechs, or any other nationality than the Negro.

Mr. TABER. There are people on the board who are of different nationalities and different races than the Negro. I may not pronounce his name right, but there is a Mr. Shishkin, who represents the American Federation of Labor.

Mr. NORRELL. What nationality is he?

Mr. TABER. I do not know what nationality he is, but I thought it was one of the Balkan States, although I would not be sure. There was a lady from Baltimore who was in some business or other, I cannot tell just what.

Mr. NORRELL. It is true that the entire personnel are members of the Negro race?

Mr. TABER. No; Mr. Ross is not; Mr. Shishkin is not; and this lady from Baltimore is not. I cannot remember her name.

Mr. NORRELL. Is the gentleman satisfied that all minority groups are represented on the board with the same degree of interest that the Negro race is represented?

Mr. TABER. No; I am not. Their activity is probably two-thirds Negro. How much they help the Negro, I do not know. I do not know of any case where they have actually done anything. I do not mean by that that there is nothing in the record to show that; their claims along that line, or the detail; but I do not know personally of any case where they have done anything. I have not been able to follow the thing through to where I would have personal knowledge.

Mr. NORRELL. I agree with the statement the gentleman makes. I know of no good that it has done so far, even to the Negroes themselves.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. RABAUT. On page 601 of the hearings appears a tabulation setting forth the distribution of alien cases closed from July 1 to December 31, 1943, by national origin and type of disposition. There are 12 cases in all dealing with German aliens. Five of the cases were dismissed, 4 were withdrawn, and 3 were satisfactorily adjusted. That is the whole story about that.

Mr. TABER. That was the first item that Mr. Ross started to talk to us about.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MARCANTONIO. Does the gentleman contend that people of German origin or other foreign-born people are not loyal to the Government in this war; and, if they are loyal, are they not entitled to protection against discrimination? Further, is not the gentleman aware that both the Army and the Navy

have asked that so-called aliens be employed in defense plants?

Mr. TABER. Citizens are one thing and aliens are another. When you are dealing with enemy aliens it is rather difficult for us to place them in the same category with citizens of the United States or those who come from nations other than enemy nations. We have got to discriminate in connection with our war industries against employment of aliens, otherwise we are going to be in a very dangerous position. I feel that very decidedly.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. COLMER. With reference to this fair-practices provision that has created so much consternation here, I have no desire to put the gentleman on the spot, but I want him to yield to me to make a statement more in the nature of an observation: The thing some of us are concerned about is whether or not this is broad enough to protect the white people of this country against discrimination. Some of us have got the idea that while the thing is set up to protect the colored people, it is the white people who are being discriminated against in the administration of these things.

Mr. TABER. The language of the Executive order is broad enough to protect the white people against discrimination, but whether there is a disposition on the part of the management of the Commission to do that, I would not know. I have not known of a single case of that kind that has been put up to them. I have no report on it. Mr. Ross stated to us that he was doing one thing absolutely, he was keeping away from everything except employment. He was not getting into any social discrimination or anything of that kind.

Mr. COLMER. No, sir; that would come next. I was thinking about the employment stage of it when I made my observation.

Mr. TABER. Yes; I can appreciate the gentleman's feeling.

Mr. COLMER. Of course, the gentleman realizes that this thing is set up here, and I believe we have an election in November, and that is given some consideration. And the gentleman further realizes, I am sure, that the men are appointed on this thing with the objective to see that a certain race is given preference over all other races.

Mr. TABER. For my own part I would not stand for it for a minute if I thought there was going to be discrimination in favor of any particular group. For my own part I think the worst thing that any man could do for the Negro or any other racial or religious group would be an attempt on the part of the Government to give them preference or priority, or to promote them as against the other elements in our population. That would be the worst curse that could be placed upon them. If those people get to doing that they will be the greatest menace to the Negro race that could possibly be imagined. There is not any question about that and they must guard themselves against it, for they are going to be in just that situation.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield at that point?

Mr. TABER. Yes.

Mr. MARCANTONIO. There is no evidence to indicate that this committee has been attempting to give preference to any one. It seems to me that the record is replete with evidence that all this committee has been doing has been to protect people against discrimination in employment because of race, color, or creed. Is that not correct?

Mr. TABER. There is no evidence in the record of anything other than that; that is true.

Mr. NORRELL. Mr. Chairman, will the gentleman yield for one more question?

Mr. TABER. Yes.

Mr. NORRELL. The record ought to show who the gentlemen were who went before the subcommittee and made that record.

Mr. TABER. The record was made by Mr. Ross, Mr. Shishkin, the lady I spoke of, Mr. Johnson, and one other man from the committee. I will put the names of those who appeared before the committee in the Record, as well as their positions. The other names follow: Will Maslow, field director; John A. Davis, director review; Charles H. Houston, law member; John Brophy, C. I. O.

Mr. NORRELL. In other words, it was an ex parte proceeding.

Mr. TABER. Some of them were on the board and some of them were employees of the board.

Mrs. ROGERS of Massachusetts. Mr. Chairman will the gentleman yield?

Mr. TABER. I yield.

Mrs. ROGERS of Massachusetts. I notice that the committee cut the Office of Censorship. I think it is \$114,000 below the Budget estimate.

Mr. TABER. Yes.

Mrs. ROGERS of Massachusetts. Does the gentleman know the reason for that?

Mr. TABER. This is the point involved in that. It does not make any difference what an activity is if it is apparent that they are not going to be able to get the number of people they had hoped to get and if their own evidence indicates that they cannot get the number of people they hoped to get. There is not any sense in our appropriating money for an organization on a scale larger than it is possible to recruit their forces.

Mrs. ROGERS of Massachusetts. Mr. Byron Price has had great praise for his censorship work.

Mr. TABER. I would not regard this cut as a reflection on Mr. Price. That was a cut that was based upon our thought as to what they might be able to do in obtaining personnel to fill positions, from their own testimony. That is the reason for that particular cut.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I yield myself 20 additional minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield further?

Mr. TABER. Yes.

Mrs. ROGERS of Massachusetts. They are trying to add more civilian personnel



you state. Are they going to employ more Navy personnel for cable censorship as the result of not being able to get the men for civilian positions of censorship?

Mr. TABER. I would not imagine they would, very much. Of course, they may be able to do better than they figured, because as we go along in this war situation, the employment situation, perhaps, may not be so bad in some respects, with the type of people that they have to have.

Mrs. ROGERS of Massachusetts. How do the salaries compare with the pay given to Navy personnel? Does the gentleman know that? I suppose civilian salaries in the higher brackets are a good deal larger?

Mr. TABER. Well, the pay in the low-salary group is higher but the cost is probably less, because the Navy personnel receive their food and their lodging and all that sort of thing in addition to their pay, while these people have to cover those things out of their own pockets. Some of the personnel in the higher brackets in censorship is higher paid than the Navy.

Mrs. ROGERS of Massachusetts. But on shore duty they have to pay for their lodgings.

Mr. TABER. But they are given an allowance.

Mrs. ROGERS of Massachusetts. Not very much.

Mr. TABER. Oh yes; very considerable.

Now, with reference to the Office of War Information, I think perhaps the best statement upon the Office of War Information was made to us on page 132 of the hearings, by Mr. Cowan, head of the New York office of O. W. I. The chairman of the committee, the gentleman from Missouri [Mr. CANNON], was questioning him. Mr. Cowan said this:

As we all know the peoples of the world have been subjected to a lot of propaganda, particularly in the occupied countries. So no doubt they are pretty well fed up on it.

That is the actual picture with reference to the propaganda situation. We have provided a very large sum of money. We have provided enough money so that they can go ahead and broadcast three or four sets, 24 hours a day. I understand there is one set broadcasting from England, several short-wave sets going into Europe from New York, three and sometimes four; there are one, two, or three from San Francisco going all the time, and there is another one in process of construction out nearer to Japan. The worst trouble with that set-up, as far as I can see, is these articles that they put out are not well written. They have an enormous quantity of it, and a great deal of it reads as though it were a lot of words thrown together. It is not forceful; nor can it be effective. It is very inept.

That is the trouble with that organization. I have been hopeful that they would take to heart some of the criticism that has been made of it and would reform their activities. They get out magazines and all that sort of thing, but I do not believe the magazines have been effective in doing us any good. They get

out all sorts of pictures, they get out printed propaganda to distribute in neutral countries. Very little of it goes into enemy countries. Out of a printing appropriation of \$3,500,000, I imagine \$100,000 is used on the leaflets that go into enemy countries. Those leaflets are short, and the cost of getting them up is very great. I have felt that a great deal of that activity could be reduced.

Mr. BUFFETT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. BUFFETT. Does the gentleman have any information on the comparable amount that Great Britain and Russia spends on that kind of activity?

Mr. TABER. We had no information except what was given us by the O. W. I. They told us that Great Britain was spending more money. For my own part I do not know and I have no way of checking it.

Mr. BUFFETT. Does the gentleman have any information about Russia?

Mr. TABER. I do not think Russia is spending a large sum on propaganda at this time, although they are spending some.

Mr. CANNON of Missouri. Will the gentleman yield?

Mr. TABER. I yield.

Mr. CANNON of Missouri. The testimony adduced before the committee showed that England is spending \$80,000,000 and Germany \$540,000,000.

Mr. TABER. Yes; but the gentleman from Nebraska was asking about Russia.

Mr. CANNON of Missouri. The money spent by the Axis Powers is out of all proportion to that spent by the Allied Powers.

Mr. TABER. I understand that.

Mr. BUFFETT. Russia seems to be doing the most successful job.

Mr. TABER. That is probably so.

Mr. BUFFETT. Perhaps we ought to consult with them on matters of this kind.

Mr. TABER. I think if a majority of the House could read these broadcasts that they get out day after day, hour after hour, they would appreciate the real desirability of stepping up the caliber of these broadcasts.

Mr. CASE. Will the gentleman yield?

Mr. TABER. I yield.

Mr. CASE. I was wondering if the gentleman was going to say something about the so-called Official Handbook of the United States.

Mr. TABER. I have talked about that heretofore. I had intended to say a great deal. It seemed to me that it was largely political. It was based upon the theory that all power should be lodged in the President, and it practically says that. It goes along down the line indicating that the Congress must delegate authority to the President to do everything, when we all know that the troubles we have gotten into in this country have been when we have delegated authority and have not met our own responsibilities here in the Congress full-fledged.

Mr. CASE. Will the gentleman say whether or not it is proposed to print any additional copies of the book in its original form?

Mr. TABER. I do not think it is. There is a book called *The U. S. A.*, or

something like that, of a smaller character, that I understand they are printing. They are printing what they call a Victory magazine, in several languages, which goes out to other countries and is sold for a small sum. As I understand, that magazine costs a great deal more to produce than such a magazine as *Life* or *Collier's*, or something of that nature.

Mr. CASE. It is my understanding that the purpose of that publication, as well as other publications, is to give a correct interpretation and understanding of the United States to other countries; but from what I saw of that particular publication, they give a very distorted view of the country and of its history.

Mr. TABER. That is true; and, for my own part, I think it was a damage. I thought they could do well without it. Frankly, I believe that the O. W. I. could be operated and do a better job with \$20,000,000 than it can with \$60,000,000.

Mr. ELLIS. Will the gentleman yield?

Mr. TABER. I yield.

Mr. ELLIS. Reference has been made to the sum of money expended by Germany, some \$540,000,000. It is interesting to note, according to their report, that the German Government owns or directs or controls every newspaper published in Germany and the entire German radio system. So that the two issues are not comparable at all.

Mr. TABER. I think probably there is something to what the gentleman says, that their whole propaganda set-up involves the whole communication set-up in Germany and is not limited strictly to propaganda.

I do not want to take too much of the time of the committee, but I wish to call attention to one or two things that seem to me to be needing considerable attention.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield at that point?

Mr. TABER. I yield.

Mr. WOODRUM of Virginia. Would the gentleman say in the matter of the item of the Office of War Information that the committee discussed and worked over it and that the report which the committee brings in is a unanimous report of the subcommittee and of the full committee.

Mr. TABER. As to the amount; we agreed upon the amount.

Mr. WOODRUM of Virginia. Made a substantial cut.

Mr. TABER. There was a cut of approximately \$6,000,000 on the combined appropriation for the domestic and foreign overseas branch.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mrs. ROGERS of Massachusetts. I notice the hearings cover an item of \$550,000 for the Petroleum Administration for War. I wonder if the gentleman will tell us why that cut was made when oil and gasoline are so vital?

Mr. TABER. Very largely because they were getting along with less help than they were allowed this year. They were having difficulty recruiting help. We felt that even though we allowed



them more money they would not be able to get the help.

Mrs. ROGERS of Massachusetts. And the oil and gas situation is a good deal better, is it not? The completion of the laying of the 24- and 20-inch pipe lines that we fought so hard to secure has helped that situation in the East somewhat.

Mr. TABER. It is somewhat better. I do not believe there is any shortage of needed funds for any necessary activity on the part of the Petroleum Administration for War.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. WIGGLESWORTH. And the report indicates in this connection that the decrease has been accomplished with the cooperation of the officials of the administration itself.

Mr. TABER. That is correct.

Mr. WIGGLESWORTH. They have made consolidations within the organization, and so forth, which have resulted in savings of approximately \$90,000 a year.

Mrs. ROGERS of Massachusetts. So they cannot claim that lack of funds prevents them from allowing us all the oil and gasoline that is needed.

Mr. TABER. They have no shortage of funds.

I want to call attention to the War Relocation Authority and then I shall yield the floor. The War Relocation Authority is the set-up that looks after the Japanese prisoners, and it is quite a substantial group. A small cut has been made in their funds. On the other hand, they have been absolutely wild in raising salaries. Out of a group receiving \$8,000 a substantial number received increases at the time of employment averaging \$1,250. Forty percent received increases averaging \$1,850 within a period of 10 months after appointment. In the \$6,500 group 87.5 percent received an increase in salary at the time of employment averaging \$1,119. Fifty percent of this group received promotions of \$1,500 within an average of 9 months after appointment. Forty-three percent of the same group received promotions averaging \$2,840 apiece. In the \$5,600 wage group 56 percent received increases at the time of appointment averaging \$1,047. Forty-eight percent received an average promotion of \$1,219 within 9.7 months after appointment. Forty percent of this group received increases at appointment and promotions thereafter averaging \$2,192 each.

In the \$4,600 wage group 69 percent received an increase in salary at appointment averaging \$945; 49 percent received promotions averaging \$1,015 within a range of 8 months; 30.3 percent received an increase at appointment and promotions thereafter aggregating \$1,781 each. These people have gone out and stripped the States where these camps are located of their school teachers and taken them in to teach these people who are in the camps. They have raised the salaries of these school teachers, many of them to double what they received in the State service, with the result that these States have been absolutely without teaching

facilities for their own American children. The thing has gone so far that it has created a very bad situation. In some of these States they have had to go out and get volunteers and people who have been retired, people who are not physically able to carry the burden, to come in and teach to keep their schools swinging. The whole thing has been managed on a most reckless and, to my mind, incompetent scale. We would do very much better by this agency and get more efficiency out of it if we gave them less money. I really believe this is an agency that should have considerable attention.

I am going to give you a little illustration of some of the backgrounds of these employees. One man was an announcer and writer in 1934 at \$1,400. He entered the employ of the Federal Government as a special assistant in December 1934 at \$3,600. In January 1942 he was receiving \$5,600; in March 1942 he transferred to W. R. A. to a position paying \$6,500, an increase of \$900; and in less than 14 months he was promoted to \$8,000, a total increase of \$1,500. This shows an increase of \$2,400 in less than 14 months. There are several others I have here of just about the same type.

The CHAIRMAN. The gentleman from New York has consumed 40 minutes.

Mr. TABER. I yield myself 1 additional minute and will finish at this point. I was trying to cover a few of these items. When this particular item I have just spoken about is reached I am going to try to tell a little bit more about it.

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. PATMAN].

(Mr. PATMAN asked and was given permission to revise and extend his own remarks.)

#### FINE WORK DONE BY O. W. I.

Mr. PATMAN. Mr. Chairman, I have read this bill with interest, especially one part in which I am very much interested, that is the part which relates to O. W. I. I do not mean by that that I am not interested in some of the other provisions, but I have had occasion to come in contact with the work of the O. W. I. more than I have come in contact with the work of any other branch or division covered in this appropriation bill.

I am glad to know the appropriation for O. W. I. has been increased \$20,000,000. I know it is not too much, especially in view of the fact that England is spending \$80,000,000 a year for the very purposes that we are spending very much less than that for and in view of the fact that Germany is spending \$540,000,000 a year for propaganda purposes.

It is true that in Germany all the radio stations and all the newspapers are owned by the German Government, but that makes it easier for Germany. In this country we do not control the newspapers, neither do we control the radio stations. In some cases we hear a lot over the radio that is not just exactly in the interest of proper coordination or efficiency of effort, and we have a lot of newspapers that are not playing on the same team of unity that newspapers

should play in a country engaged in war. I do not say that any of them are guilty of treasonable conduct, no, because we are in a country where we have the right of free speech. Hitler at one time said that he did not fear the ultimate outcome of a war that he might have with a country that insisted upon the right of free speech. He said that in a country that had and continued free speech the people would soon fall out among themselves, there would be so much disunity and discord and working against one another that the country would soon fall or so many of them would come over on his side that to conquer them would be much easier than in any other kind of a country. So it certainly is necessary that we do something to counteract this propaganda that Hitler and the Japs from day to day are putting out, especially in these neutral countries.

#### ELMER DAVIS TO BE COMMENDED

Mr. Chairman, in my opinion Elmer Davis is doing a wonderful job. I do not know of any other man in the United States who could do a better job. He is staying on the job here in Washington and elsewhere in the United States 14, 16, 18 hours a day, working just as hard as he can work and at a great personal sacrifice, financial and otherwise. I think he is to be commended for the fine, patriotic work that he is doing in this war. If we would all play on this team that we should play on with the degree of unity, support, and cooperation that Mr. Elmer Davis is playing, this war would be shortened and our boys would get back home much earlier.

#### WAR COULD BE SHORTENED

I cannot help but believe that the disunity and discord that we hear every day, and I am sorry to say that some of it is in Congress, is bound to give great aid and encouragement to our enemies. It is bound to give them courage to think that possibly one of these days our country will crack, thereby enabling them to encourage their own people to keep going. "Listen to them over in the United States, listen to them fighting among themselves; listen to what they are doing." It is bound to lengthen this war. So I think the quicker we get together and fight and all play on one great team and support the 11,000,000 fighting men we have in the war today the quicker this war will be over. It will certainly be shortened by unity.

#### O. W. I.'S RECORD ON PREVENTING INFLATION

I want to say something about the O. W. I. and what it has done to enlist public support and to prevent wartime inflation.

In a fascist state the effort to prevent wartime inflation depends upon compulsion. In a democracy it depends primarily upon the voluntary actions and cooperation of individual citizens.

This cooperation, in turn, depends upon understanding. Information is therefore an important part of the fight to prevent wartime inflation in the United States.

May I say here that during the past 12 months the line has been held against prices and inflation, the first time in the history of the world an effort has been



made to control prices and wages during wartime. We can point with pride to the successful record that has been made. If we had paid the same prices for the material and the labor that have gone into our war machine up until December 31 last that we paid during a similar period of time in World War No. 1, the cost of this war would have been increased and our national debt would have been that much larger, to the extent of \$65,000,000,000. We can point with pride to that. It means \$500 for every man, woman, and child in the United States saved on the war cost alone. In addition to that, there are \$22,000,000,000 that have been saved in cost of living, which is equal to \$700 for every American family. That is a wonderful record. In Germany citizens can be told what to do. The entire police machinery, not excluding the feared and hated S. S., is used to check on compliance with regulations. Punishment is meted out arbitrarily and ruthlessly—the death sentence is not an uncommon punishment for failure to observe rationing regulations.

In this country, in contrast, primary reliance is placed on the good sense, the voluntary actions, and the cooperation of all citizens. To be sure, some phases of the anti-inflation program necessarily involve compulsion. Essential goods in scarce supply are rationed and most goods have been made subject to price control.

Let it be remembered also that we have 8,000,000 different prices and with 8,000,000 different prices we are going to have some mistakes made. Mistakes are perfectly natural since human beings are administering these laws, but the over-all picture is a good one.

But these measures, too, reflect the wishes of the American people and depend for their success not on rigid enforcement but on voluntary compliance; there is, in fact, on the average less than one paid investigator of infractions per county. In a broad sense it may be said that every phase of the Nation's anti-inflation program depends upon the voluntary cooperation of individual citizens. This is obviously true of such things as self-restraint in buying and the purchase of War bonds; in the last analysis it is no less true of compliance with rationing and price control.

There can be but one sound basis for this kind of democratic cooperation: Understanding. And understanding is a product of information. It is only when people understand a problem that they may be expected to comply with restrictions and to gear their actions to the Nation's needs. Particularly is this the case when the actions run counter to certain natural impulses—the impulse, for example, to spend freely when one has the money and wants things; the impulse to get as much as one can for one's labor or the goods one has to sell. Information is essential to the success of economic stabilization in a democracy.

Recognizing this, in May 1943 the Office of War Information launched an information program on economic stabilization in cooperation with the Government agencies administratively con-

cerned with the problem. The program had the following objectives:

To explain why there is a danger of rapidly rising prices in wartime.

To develop a widespread awareness of the havoc an inflationary price rise could cause both during the war and after the war when the boom bursts.

To enlist each citizen in the fight against inflation and tell him specifically what he can do.

Mr. TABER. Mr. Chairman, under the circumstances I will have to make a point of order.

Mr. PATMAN. All right, you can make the point of order but I will not yield until I am through.

Mr. TABER. Then I will make it now.

Mr. PATMAN. All right.

Mr. TABER. The gentleman is not speaking to the bill, and debate has been confined to the bill.

Mr. PATMAN. I certainly am.

Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The gentleman will proceed in order.

Mr. PATMAN. In connection with this last objective, seven specific active suggestions were made.

Mr. TABER. Mr. Chairman, it is perfectly clear that the gentleman is not speaking to the bill. I renew my point of order.

The CHAIRMAN. The point of order is overruled. The gentleman will proceed in order.

Mr. PATMAN. First. Buy only what you really need.

Second. Pay no more than ceiling prices.

Third. Pay off old debts and avoid making new ones.

Fourth. Pay willingly any taxes that your country needs.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 70]

Allen, La.	Davis	Hart
Anderson, N. Mex.	Dawson	Hays
Andrews, Ala.	Dewey	Hébert
Andrews, N. Y.	Dickstein	Heffernan
Arends	Dies	Heidinger
Auchincloss	Dingell	Holmes, Mass.
Baldwin, Md.	Dirksen	Hope
Barden	Disney	Hull
Barry	Dondero	Izac
Bell	Douglas	Jackson
Bloom	Durham	Jenkins
Bolton	Eaton	Johnson
Bonner	Eberharter	Lyndon B.
Boren	Elmer	Johnson, Ward
Boykin	Fernandez	Jones
Brehm	Fitzpatrick	Judd
Buckley	Flannagan	Kearney
Bulwinkle	Folger	Kefauver
Burch, Va.	Ford	Kennedy
Burdick	Fulbright	Kerr
Burgin	Fuller	King
Cannon, Fla.	Furlong	Kleberg
Capozzoli	Gale	Klein
Carson, Ohio	Gallagher	Knutson
Carter	Gamble	Lanham
Celler	Gavin	Larcade
Cole, N. Y.	Gilchrist	Lewis
Compton	Grant, Ind.	Luce
Cooley	Green	McCord
Costello	Griffiths	Maas
Cox	Gross	Manasco
Curtis	Gwynne	Martin, Iowa
	Harness, Ind.	Mason

Merritt	Randolph	Stockman
Morrow	Rees, Kans.	Summers, Tex.
Morrison, La.	Robson, Ky.	Taylor
Morrison, N. C.	Satterfield	Treadway
Mott	Sauthoff	Vincent, Ky.
Murphy	Shafer	Vinson, Ga.
Murray, Tenn.	Sheridan	Vursell
Myers	Simpson, Pa.	Wadsworth
Newsome	Slaughter	Wasielewski
O'Neal	Smith, Va.	Weaver
Pace	Smith, W. Va.	Welch
Patton	Smith, Wis.	Wene
Pfeifer	Snyder	Wheelchel, Ga.
Piumley	Somers, N. Y.	White
Pracht,	Stearns, N. H.	Wilson
C. Frederick	Stewart	Wolfenden, Pa.
Ramey	Stigler	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill H. R. 4879, and finding itself without a quorum, directed the roll to be called, when 281 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The Committee will resume its sitting.

#### FIGHTING INFLATION

Mr. PATMAN. Mr. Chairman, I did not make the point of no quorum. It was made by another Member. However, I am glad that the audience has increased and I will be able to show what the O. W. I. has done. The O. W. I. has done a wonderful work. First, the purpose of the second front was to relieve the enemy pressure on the first front by striving for two main objectives, one to increase public understanding of the forces which cause inflation, and secondly, to tell every American precisely how he can and should fight inflation by taking certain specific action.

Here is what the O. W. I. is doing. Here is the nature and extent of support being given the anti-inflation program by established media. This support is obtained directly by O. W. I., which prepares all needed background activities and coordinates all activities: Movies, posters, newspapers, magazines, and radio. In only a few typical months, from July to December 1943, the O. W. I. radio facilities carried anti-inflation messages to 738,000,000 listeners. Magazines initiated by O. W. I.: The Magazine Publishers' Committee is running advertisements regularly in magazines with a total circulation of 92,000,000 monthly, plus consistently heavy editorial support in the form of articles and featured sections.

Under various plans created by the O. W. I., anti-inflation advertisements are appearing in thousands of newspapers.

O. W. I. controlled-circulation newspapers, 60,000,000.

O. W. I. community newspaper plan, 47,000,000.

Insurance companies' program, 30,000,000.

Total circulation, 137,000,000.

Plus a tremendous volume of editorial support in these and other papers.

Motion pictures: Three pictures have been made through O. W. I. facilities: Skirmish on the Home Front, Ceilings Unlimited, and The Why of High War-



time Taxes, each distributed to over 15,000 theaters; each seen by about 100,000,000 people.

Posters: Prepared by the insurance companies with the advice of O. W. I., and distributed by O. W. I., are anti-inflation posters numbering 2,650,000, plus a comprehensive monthly showing of 24-sheet billboards in urban markets.

It is impossible to set a dollar value on the amount of editorial support O. W. I. has obtained for the anti-inflation program. But it undoubtedly exceeds by many times the value of advertising support received.

And the estimated value of advertising support received in only the first several months of the program's operation was \$11,300,000.

How effective has it been?

According to a careful, comprehensive O. W. I. survey made in January 1944, 58 percent of the population reported either reading or hearing over the radio something about what they could do to help hold down prices.

From May through December of 1943, the cost-of-living index dropped seventenths of a point.

Conclusions: The O. W. I. anti-inflation program has yet to reach nearly half the public.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. PATMAN. The understanding of inflation problems and of individual responsibilities in combating inflation is demonstrably better among people who have been reached than among those who have not.

For example, of those reached compared to those not reached, nearly twice as many of the former knew of something in addition to price ceilings that the Government was doing to hold down prices. Knew they could help hold down prices by saving, investing in War bonds, and buying only necessities. Knew that higher taxes help hold down prices.

The O. W. I. anti-inflation program activities are accordingly being intensified.

The time and space devoted to this program has not cost the Government 1 penny. Not 1 penny.

So this program carried on by O. W. I. that would have cost this Government tens of millions of dollars in advertising over all these different kinds of communication—

Mr. MARTIN of Massachusetts. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. MARTIN of Massachusetts. Will the gentleman tell us who pays for it?

Mr. PATMAN. Well, the newspapers were patriotic enough to cooperate and furnish advertising; and the radio owners did the same thing. But they had the assistance of the coordinating effort of O. W. I., that made it possible. Otherwise it would not have been possible. The life-insurance companies of America have done a wonderful job in cooperation with O. W. I. This shows where

a few pennies spent by our Government for coordination has enabled us to receive what would have cost us tens of millions of dollars a year. So I think money spent in that way is spent in the best possible way.

Mr. HOFFMAN. Will the gentleman yield?

Mr. PATMAN. I do not yield.

Mr. BRADLEY of Michigan. Will the gentleman yield?

Mr. PATMAN. I am sorry. There is nothing personal, I assure the gentleman, but I do not yield.

Before the point of no quorum was made, I had mentioned seven specific suggestions about the stabilization program. We are trying, if possible, to avoid the breaking of small businessmen in this country like they did during the last war, by goods going higher and higher all the time and then buying higher and higher. Then when the spiral of inflation had been reached most of them were broke and we had the worst situation we have ever had in this country. We are trying to avoid that.

In connection with this last objective seven specific action suggestions were made:

First. Buy only what you really need.

Second. Pay no more than ceiling prices; buy rationed goods only with stamps.

Third. Pay off old debts and avoid making new ones.

Fourth. Pay willingly any taxes that your country needs.

Fifth. Provide for the future with adequate life insurance and savings.

Sixth. Do not ask more money for goods you sell or work you do.

Seventh. Buy all the War bonds you can afford and keep them.

It was recognized from the beginning that this information program was one of the most difficult ones the Office of War Information had tackled. It was extremely broad in its scope. It dealt with relatively abstract and difficult material. Everyone was likely to object to one or another phase of it—because, while nearly everyone favors price control for the other fellow, relatively few are initially prone to accept it when it steps on their own toes. Finally, it was necessary to tread carefully, for while fear of inflation may be a deterrent to inflationary actions, the belief that inflation cannot be prevented may have just the opposite effect and lead people to act in a way which will cause prices to shoot up.

It was therefore decided that the information program should scrupulously avoid any suggestions that inflation is inevitable; it was insisted, on the contrary, that if everyone stood together this Nation could prevent a runaway price rise from occurring. Emphasis was put on people's interest in the fight against inflation as Americans; and, secondarily, on the fact that every group stood to lose in the long run from an uncontrolled rise in prices.

The cooperation of all the established media of mass communication was then solicited. The Office of War Information acted as the agent for all the agencies concerned with the prevention of

inflation—the Office of Economic Stabilization, the Office of Price Administration, the War Labor Board, the Department of Agriculture, the War Food Administration, the Treasury Department, and the Federal Reserve Board. It attempted to coordinate the informational efforts of these agencies—which was a convenience for everyone concerned—and took the lead in securing media support.

The response of the media was magnificent. Over a billion and a half listener impressions were secured for economic stabilization messages over the air. Literally hundreds of radio programs, writers and actors cooperated in the effort to explain the danger of wartime inflation and the citizen's personal responsibility in combating it in vivid personal terms. Stars like Kate Smith and Bing Crosby used their talent for reducing even a complex problem to simple, homey language.

Newspapers ran innumerable editorials on various aspects of the inflationary problem. They gave prominent attention to statements on the subject by Government officials, businessmen, and economists. The Office of War Information issued monthly economic summaries and quarterly "box scores," which brought together pertinent facts about the wartime economy, and these were widely used in the press.

The O. W. I. Magazine Bureau arranged a meeting of prominent magazine editors in Washington last May, at which Judge Byrnes, then the head of the Office of Economic Stabilization, personally explained the gravity of the inflationary threat and the importance of wider public awareness of the danger. The cooperation of the Writers' War Board was also enlisted. Partly as a result of these efforts, hundreds of articles, stories, and features have appeared in the Nation's magazines about inflation and the way to combat it. Material has appeared in publications as diverse as Harper's and the pulps, the New Yorker and the Superman comic books.

The motion-picture industry, working through its war activities committee, has produced two 10-minute shorts for the O. W. I. to support the anti-inflation information program. The first film, Prices Unlimited, explains the reasons for price control and rationing and the importance of cooperating with them. It was released March 16. The second film, Skirmish on the Home Front, deals with the over-all economic stabilization problem and was released May 11. An indication of the importance Paramount, the producer, attached to the film is shown by the stars assigned to it: Betty Hutton, Susan Hayward, Alan Ladd, and William Bendix. Before they have completed their runs these films will have been exhibited in 16,000 theaters to an estimated audience of 90,000,000.

Advertisers have given the information program on economic stabilization their unstinting support. Despite a tight space situation, about 500 magazines, with a combined circulation of 90,000,000, have contributed a page a month for an economic stabilization ad. The country's advertising agencies, banded together to contribute to the war effort through the



War Advertising Council, assigned a particular task force to prepare these ads. The Office of War Information has worked closely with the advertising council and the task force and furnished the factual material on which the ads are based.

The life insurance companies of America have backed the program with ads running in newspapers with a circulation of 25,000,000 and farm papers with a circulation of 5,000,000. They have paid for the production of a half million copies each of a series of 5 anti-inflation posters, which are now being distributed by O. W. I.

Many individual advertisers have also backed the program, basing their ads on material supplied through an information program book and a formula folder specially prepared for advertisers. The War Advertising Council estimates that the total value of the advertising support given the economic stabilization program in 1943 amounted to \$11,300,000.

The exact results of these information efforts are, of course, not precisely measurable, but they have certainly played a significant part in the amazing success this Nation has had thus far in its fight to hold the line against rising prices. Studies show that the people who have been reached by the information program rank consistently higher than those who have not in understanding of the problem of inflation and in cooperative attitudes toward measures designed to prevent it. For example, awareness of the role of taxes and War bonds in holding prices down was twice as high among the people who had been exposed to information as it was among those who had not been. This was true at all educational levels—among those who had a high-school education or better and among those who had less than a high-school education.

It is clear that the informational activities undertaken by the Office of War Information have helped to develop public understanding of the danger of wartime inflation and contributed to the success we have had in neutralizing that danger. In achieving these results the O. W. I. has operated in accordance with the policies laid down by Congress and Executive directives. It has coordinated the informational efforts of all the Government agencies concerned with this particular problem. It has worked with and through the established media. It seems to me that its activities in this one sphere prove its worth and justify its continuance. For, aside from the Axis itself, inflation is the most dangerous enemy that threatens our country today; and the defeat of this enemy clearly depends on bringing people the facts, so that of their own accord they will do everything in their power to hold prices down and keep the economy stable and strong.

Mr. CANNON of Missouri. Mr. Chairman, I yield such time as he may require to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, I would like to suggest to all Members that they read with care the report of the Appropriations Committee on this bill. It is a

very illuminating document. It is replete with information concerning our war activities which have ramifications extending all around the world. It is written in a most interesting style and is flavored with a high literary quality. Marcellus Sheild, clerk of our committee, has written many splendid reports in his time, dealing with operations and events of epochal significance, but it is my considered judgment that this is his masterpiece. It deserves a place in every school and library in the land.

In discussing the appropriation for the Office of War Information to which I shall confine my attention, I think that perhaps the best service I can render to the House is to state the impressions I obtained in a visit at the headquarters of the O. W. I. in New York City last Saturday. I would be the last person to claim infallibility for my conclusions but I will at least give you my honest opinion. I undertook this investigation armed only with a newspaperman's natural inquisitiveness and without any preconceived notions that convincing evidence would not have overcome.

Headed by Judge WOODRUM of Virginia, a contingent of the Deficiencies Subcommittee, including Mr. SNYDER, of Pennsylvania; Mr. RABAUT, of Michigan; Mr. LAMBERTSON, of Kansas, and myself, made the trip to New York City by airplane, and, of course, Marc Sheild, clerk of the Appropriations Committee, on whom we relied heavily for the success of the expedition, went with us. We plunged into the investigation immediately on arrival in New York, pausing briefly at noon for sandwiches and coffee, then continuing our inquiry and inspection well into the afternoon. Not a word of advance information in regard to our trip had gone out and the O. W. I. officials in New York were taken completely by surprise. Some of them displayed considerable nervousness on seeing a segment of Congress walk in on them unannounced, but they hastily organized to show us through the two buildings and invited us to inspect everything from top to bottom and to ask questions as the spirit moved us. We were invited to view films, to listen to broadcasts, and even to pick up letters and manuscripts from the desks and read them, which we did in many instances. If ever there was a wide-open investigation, this was it.

The main building occupied by the Office of War Information in New York is nine stories in height and there is an overflow which occupies part of an adjoining building. In the two buildings 1,700 persons are employed. We began our investigation at the top of the nine-story building, where the news department, the heart of the O. W. I. operation, is located. From there we worked downward, inspecting the operations on each of the eight other floors, and finally directing our attention to the Publications Division in the adjoining building, where we also witnessed a news reel and a film pertaining to the war.

Without impinging too much on the time of the House, I will state that my net conclusion as a member of the investigating party was that the Office of War Information is well organized and

systematized to accomplish the purposes for which the office was created, that its work is well coordinated, and that it operates with as little waste as could reasonably be expected. As an offhand impression I will venture to say that, compared with the good it does, there is no other activity of the war that is run with as little waste. I doubt whether the actual waste of the Office of War Information in a year's time equals the money that is lost when one of our bomber planes is destroyed. Yet, we frequently read of raids in which 10 or 20 or more of our planes go down and we accept that loss without question as one of the sad misfortunes of war. We cannot assume that an emergency organization created out of the clear sky like the O. W. I. and built up to a certain extent by the trial and error process always functions economically by the strict rule of thumb. We should rather judge it, I think, by its accomplishments as to whether its propaganda and psychological warfare are helping to win the goals we have set in the world conflict and to save lives that might otherwise be sacrificed in the holocaust of war. I believe it is doing those very things and that by all of the tests of dependability it is entitled to our support and confidence. Anything that will contribute toward bringing the war to a successful close without sacrificing the lives of our boys certainly is entitled to our careful consideration.

I had a question as to the scope of some of the publications and broadcasts of the Office of War Information. It seemed to me at first blush that these particular outgivings might well be curtailed or eliminated. I had in mind musical programs and articles dealing with such subjects as health topics, wool growing, and so forth. There was one particular publication that challenged my attention and curiosity. It is entitled "Small Town United States of America." That particular publication is a nicely illustrated pamphlet dealing with home and community activities in a typical American small town, Alexandria, Ind.

My natural inquiry was, "What do such things have to do with winning the war?"

Two reasons were given for including such releases and publications within the scope of the output of O. W. I.:

First. It is the duty of O. W. I. to sell the United States to the favorable opinion of the world.

Second. It frequently happens that a discussion of a matter of particular interest to the people of a particular country serves to rivet their attention to propaganda embodied in the article for which an audience could not otherwise be obtained. Frankly, it was admitted that what appears to be irrelevant matter contained in some of the broadcasts is "bait" to secure an audience. The booklet about Alexandria, Ind., is intended to give foreign readers an idea of the joys of home life in a free country and thus encourage them to throw off the yoke of tyrannical rulers. I could not find it in my heart to complain of these publications when their purpose was revealed. We found that the New



York headquarters of the O. W. I. works clear around the clock, 24 hours a day and 7 days a week.

As for overstaffing, I could not see any evidence of it at O. W. I. headquarters. Of course, many persons are employed there but in operating an activity of world-wide scope many are required.

The output goes to the world in 25 languages, and to conduct these operations persons must be employed who not only know the standard languages of the world but also the local dialects and idioms. This accounts for what appears to be an unusually large number of foreign names among the employees, but every person engaged there has for security reasons been checked and rechecked by the F. B. I. and all of the intelligence agencies. Many of the employees are in the IV-F classification. Some are wounded men returned from the theaters of war. Some are beyond military age. Many have won high distinction in the field of journalism. The salaries paid under civil-service classification are frequently very low compared with what the employees have heretofore earned or would be capable of earning in civil life. We listened to a dialog broadcast between the O. W. I. headquarters and north Africa. The colored girl who took down the broadcast by stenotype was a marvel of efficiency. Her salary under civil-service classification probably is \$1,620 a year. The official reporter who performs exactly similar stenotype service at our Appropriations Committee hearings in Washington draws a salary of \$7,000 a year. It is a fair statement, I think, to say that the O. W. I. employees are not in any instance overpaid.

Every broadcast from O. W. I. has to pass the watchful eye of Lt. Comdr. Harold Harding, who censors the manuscripts. We called on him at his office and he did not appear to be an overworked individual.

"How many words have you deleted today?" he was asked. He answered, "None." He indicated that work had fallen off since Representative TABER called on him recently, when his deletion record for the day was one word. He was asked, "Does not the fact that you delete so few words indicate that the manuscripts are well prepared from the security standpoint when they come to you?"

"It certainly does," he replied, but he wanted it distinctly understood that lack of use of the blue pencil does not mean that he does not have plenty to do, as he carefully reads every word of every manuscript.

Likewise every news release emanating from the news bureau has to pass the eagle eye of a representative of Byron Price's office of censorship. We were amused when we read on the wall of his office this sign:

The censor needs the eye of a hawk, the memory of an elephant, the nose of a bloodhound, the heart of a lion, the vigilance of an owl, the voice of a dove, the sagacity of a Solomon, the patience of Job, and the imperturbability of the Sphinx.

Byron Price has some good men on his staff but I seriously doubt whether he

has one who could meet all of those requirements.

One department of O. W. I. that intrigued me, as I think it did all of us, was the radio photography department. Often a picture contains more genuine, clean-cut propaganda than 50 newspaper columns, and this is an important department. We witnessed the mechanical process of sending pictures by radio to the O. W. I. outposts around the world. Amazing economies have been effected in this department. The minimum cost of sending a picture by radio through commercial channels is \$60, but by using a multiple device O. W. I. sends them at a unit cost of \$1.25.

Leaflets prepared at the New York headquarters of the O. W. I. have been influential in inducing Germans to surrender and have thus accomplished bloodless victories of high importance in the war effort. These leaflets have offered "safe conduct" into United Nations lines and have had a powerful appeal to discouraged and war-weary enemy soldiers. Some of the leaflets have been dropped from airplanes; others have been shot from guns that carried them 6 or 7 miles into enemy territory. On page 83 of the hearings on this bill is the testimony of Edward W. Barrett, executive director of the Overseas Branch, who personally witnessed 25 Germans surrender in Italy, bringing the leaflets with them, this program of bombarding enemies with leaflets offering safe conduct and fair treatment was undertaken at the request of General Eisenhower and General Devers, who recognize its great value. I believe it is one of the most important parts of O. W. I. work and that it should be continued and encouraged.

In view of the prospective invasion of Europe and the unpredictable additional burdens that will be placed on O. W. I. by events that are certain to come in that and other theaters of war, the O. W. I. asked the Budget Bureau for an appropriation of \$76,000,000 to carry it through the next fiscal year. The Budget Bureau cut the estimate to \$64,390,000, and the bill now before you asks for \$58,625,367. I believe the O. W. I. is doing a fine job helping to win the war by propaganda and psychological warfare. I believe it has saved, and will continue to save, the lives of many American boys, and I hope it will be implemented with sufficient funds to carry on efficiently. I have voted for enormous sums for implements of destruction because I believed it was my duty to do so. I am glad to support the O. W. I., which I regard as a potential instrument to bring about victory without destruction.

(Mr. LUDLOW asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill

(H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, and had come to no resolution thereon.

#### GENERAL EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their own remarks in the RECORD on the bill now being considered.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain statements and excerpts, including part of the committee's report on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

Mr. MRUK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article appearing in the Four-F Digest, a publication devoted to the interests of handicapped people, edited by Mr. Willard H. Woods, of Springfield, Mass., descriptive of Handicapped Persons in Industries, Inc.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MRUK]?

There was no objection.

[The matter referred to appears in the Appendix.]

#### SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. HARTLEY] is recognized for 15 minutes.

#### LEND-LEASE AND/OR U. N. R. R. A. PREFERENCES

Mr. HARTLEY. Mr. Speaker, a Member of another body who, within the week, stated that an American warship had been transferred to the Soviet Government under lend-lease was charged with having revealed a military secret.

The information I am about to give the House is not a military secret, but might come under the heading "military" secret.

It is a well-known fact that at the moment there is a serious shortage of cotton goods and manufacturers are unable to obtain sufficient cotton yard goods to meet the demands of the American women and children for dresses.

I have here a seersucker dress and I am reliably informed that at least 6,000,000 of these dresses are being shipped abroad under lend-lease or U. N. R. R. A. How many million more are to be sent, I am unable to find out up to the moment. This is a finer dress than is carried by any retailer in America today.

The first question I would like to ask is why, with the shortage of cotton dress goods which exists here, the seersucker type of dress is being shipped abroad?

Thirty-five percent more dresses could be produced, with approximately 50-percent savings in weaving labor, if the same



we ought to call them in and confront them with the representatives of the company, with the books of the company, with an independent auditor, and if they make a misstatement make them acknowledge it, acknowledge not only that it is an error, but, wherever they do it repeatedly and deliberately, make them admit on the record that they are not telling the truth. There is no reason why they should crucify business the way they are doing. There is no reason why they should misrepresent, why they should deny facts to this Congress. Until we do that, make them give us the whole truth, they will continue to wipe the businessmen out.

Mr. HARTLEY. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. HARTLEY. Is it not a fact also that O. P. A. officials in testifying before the committee in this particular case presented figures which they said were figures supplied by the Bureau of Labor Statistics, but as a matter of fact when the Bureau was called it admitted it had no such figures?

Mr. HOFFMAN. The gentleman has the record. I will say one thing more. I will give you some more of these figures shortly on another occasion. I will say that the administration is not satisfied with having seized the commercial plant of Ward's; it is putting into the record figures with reference to their business which are not true. I hope that the Smith committee or the Committee on Banking and Currency will call them before the committee and confront them with the actual figures, and if they are not accurate make them admit that they are not telling the truth.

#### EXTENSION OF REMARKS

Mr. HOFFMAN asked and was given permission to revise and extend his remarks in the RECORD.

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial from the San Francisco Chronicle.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[The matter referred to appears in the Appendix.]

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BULWINKLE, for May 26, 27, 29, 30, and 31, on account of official business.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1941. An act to amend the District of Columbia Alley Dwelling Act, approved June 12, 1934, as amended; to the Committee on the District of Columbia.

#### ENROLLED BILLS SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the follow-

ing titles, which were thereupon signed by the Speaker:

H. R. 4793. An act to provide for emergency flood-control work made necessary by recent floods, and for other purposes; and

H. R. 4646. An act to provide for simplification of the individual income tax.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 683. An act to provide for the recognition of the service of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal.

#### ADJOURNMENT

Mr. MANSFIELD of Montana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) under its previous order, the House adjourned until tomorrow, Friday, May 26, 1944, at 11 o'clock a. m.

#### COMMITTEE HEARINGS

##### COMMITTEE ON THE PUBLIC LANDS

Friday, May 26, 1944

There will be a meeting of the Committee on the Public Lands on Friday, May 26, 1944, at 10:30 a. m., to consider H. R. 1654, H. R. 4095, H. R. 3384, and S. 1335, and such other matters as may properly come before the committee.

#### EXECUTIVE COMMUNICATIONS, ETC.

1576. Under clause 2 of rule XXIV, a letter from the Secretary of the Treasury, and managing trustee of the trust fund, board of trustees of the Federal old-age and survivors insurance trust fund, transmitting the Fourth Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund (H. Doc. No. 620); to the Committee on Ways and Means and ordered to be printed with illustrations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON of Missouri: Committee on Appropriations. H. R. 4879. A bill making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes; without amendment (Rept. No. 1511). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 4445. A bill to authorize temporary appointment as officers in the Army of the United States of members of the Army Nurse Corps, female persons having the necessary qualifications for appointment in such corps, female dietetic and physical-therapy personnel of the Medical Department of the Army (exclusive of students and apprentices), and female persons having the necessary qualifications for appointment in such department as female dietetic or physical-therapy personnel, and for other purposes; with amendment (Rept. No. 1512). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 1669. An act to clarify the law relative to allowances for mileage of graduates of the United States Military Academy and transportation of their dependents on assignment to their first duty station and to the mileage allowance of persons entering the United States Military Academy as cadets; with amendment (Rept. No. 1513). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPARKMAN: Committee on Military Affairs. H. R. 4733. A bill to amend section 514 of the Soldiers' and Sailors' Relief Act; with amendment (Rept. No. 1514). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLOOM: Committee on Foreign Affairs. House Joint Resolution 241. Joint resolution requesting the President to urge upon the governments of those countries where the cultivation of the poppy plant exists, the necessity of immediately limiting the production of opium to the amount required for strictly medicinal and scientific purposes; without amendment (Rept. No. 1515). Referred to the House Calendar.

Mr. WEAVER: Committee on the Judiciary. House Joint Resolution 283. Joint resolution to extend the time limit for immunity; with amendment (Rept. No. 1516). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 4880 (by request). A bill to amend the provisions of the act approved March 9, 1920, as amended, authorizing suits against the United States in admiralty, to extend the statute of limitations with respect to causes of action arising after the declaration of the present national emergency; to the Committee on the Judiciary.

By Mr. DOUGHTON:

H. R. 4881. A bill to amend the Internal Revenue Code, the Narcotic Drugs Import and Export Act, as amended, and the Tariff Act of 1930, as amended, to classify a new synthetic drug and for other purposes; to the Committee on Ways and Means.

By Mr. GATHINGS:

H. R. 4882. A bill to authorize the completion, by the use of Lanham Act funds, of hospital projects initiated by the Works Progress Administration and the Work Projects Administration; to the Committee on Public Buildings and Grounds.

By Mr. KEOGH:

H. R. 4833. A bill to amend section 22, subdivision (b), paragraph (2) of subparagraph (B) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. COLMER:

H. R. 4884. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 so as to guarantee to persons after their period of military service certain rights with respect to employment; to the Committee on Military Affairs.

By Mr. WRIGHT:

H. R. 4885. A bill to authorize State and local taxation of machinery owned by the United States which is being used in war production by private contractors; to the Committee on Ways and Means.

By Mr. STARNES of Alabama:

H. Con. Res. 88. Concurrent resolution authorizing the printing of additional copies of the report (No. 1311) of the Special Committee on Un-American Activities of the House of Representatives, dealing with the leadership of the Congress of Industrial Organizations political action committee; to the Committee on Printing.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. CHURCH:

H. R. 4886. A bill for the relief of Oscar R. Stehnert; to the Committee on Claims.

By Mr. PATMAN:

H. R. 4887. A bill for the relief of Dr. James M. Hooks; to the Committee on Military Affairs.

H. R. 4888. A bill for the relief of Dr. Ernest H. Stark; to the Committee on Military Affairs.

By Mr. SPRINGER:

H. R. 4889. A bill for the relief of Bart B. Pigman; to the Committee on Claims.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred, as follows:

5749. By Mr. ANDREWS of New York: Resolution adopted by the Buffalo Real Estate Board on May 19, 1944, opposing the develop-

ment of the St. Lawrence seaway project; to the Committee on Interstate and Foreign Commerce.

5750. By Mr. SCHIFFLER: Petition of the National Society, United States Daughters of 1812, urging Congress to take recognition of the fact that the act providing for the elimination of all subversive elements from radio stations in the merchant marine is not being enforced and to take such steps as in its judgment may be deemed appropriate and necessary; to the Committee on the Judiciary.

5751. Also, petition of the National Society, United States Daughters of 1812, urging that the Constitution of the United States be upheld; to the Committee on the Judiciary.

5752. Also, petition of the National Society, United States Daughters of 1812, urging that the migration of huge masses of immigrants be restricted; to the Committee on Immigration and Naturalization.

5753. Also, petition of the National Society, United States Daughters of 1812, urging freedom of the radio and freedom of the press and speech; to the Committee on the Judiciary.

5754. Also, petition of the National Society, United States Daughters of 1812, protesting

against the regimentation of science in the field of technical invention and in medicine; to the Committee on Education.

5755. By Mr. SLAUGHTER: Petition of Charles E. Phillips and 2,087 other citizens of Kansas City, Mo., protesting against the passage of House bill 2082, the so-called Bryson bill; to the Committee on the Judiciary.

5756. Also, petition of James R. Browne and 1,401 other citizens of Kansas City, Mo., protesting against the passage of House bill 2082, the so-called Bryson bill; to the Committee on the Judiciary.

5757. By the SPEAKER: Petition of the Watertown Building and Construction Trades Council, Watertown, N. Y., petitioning consideration of their resolution with reference to approval of Senate bill 1385; to the Committee on Rivers and Harbors.

5758. Also, petition of the secretary, Journeymen Barbers Union, Local 295, Los Angeles, Calif., petitioning consideration of their resolution with reference to the importance of maintaining ceiling prices and the continuance of the Office of Price Administration program; to the Committee on Banking and Currency.









Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry. I understood the gentleman from Massachusetts [Mr. MARTIN], had the floor.

The SPEAKER. The gentleman from Massachusetts [Mr. McCORMACK], had the floor by sufferance. The gentleman from Massachusetts asks unanimous consent to proceed for 1 minute. Is there objection?

There was no objection.

Mr. MARTIN of Massachusetts. I yield to the gentleman from Michigan for an inquiry.

Mr. HOFFMAN. In view of the gentleman's statement about this adjournment Thursday, something was said about June, and our finishing up the work then. Is it the understanding or the thought that when we adjourn in June we may adjourn until September sometime?

Mr. McCORMACK. Of course, that is something I cannot give any definite statement about at the present time.

Mr. HOFFMAN. I did not expect a definite statement, but just sort of a thought you might have.

Mr. McCORMACK. The penetrating mind of the gentleman on this occasion is unable to receive from me a response that I could have confidence in myself. We are hopeful that some kind of arrangement may be made. I am not talking about an adjournment or anything else, but an arrangement of a nature that could be made, having in mind the two conventions and other problems of a practical nature that confront and will confront members from June on.

Mr. MAY. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MAY. I would like to ask the gentleman if there is some possibility of getting either the Nurses Corps bill, or the WASP bill next week, or the week following.

Mr. McCORMACK. Not next week. I am very anxious that both bills be considered. Of course, the WASP bill was up last week and it was displaced because of reasons with which the gentleman is undoubtedly acquainted. However, it is impossible to put on either bill next week. The Nurses Corps bill is a very vitally important bill, and I was hopeful that we might pass that by unanimous consent.

Mr. MAY. I would be willing to have that done.

Mr. McCORMACK. It might be well for the gentleman from Kentucky to work on that and see if that can be accomplished. But I have both bills in mind for the week after next week.

I cannot give a definite promise.

Mr. RANKIN rose.

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. RANKIN. Mr. Speaker, I should like to make a statement in response to the inquiry of the gentleman from Michigan. It is my understanding that the majority leader in the Senate announced yesterday that there will be no recess. I am not sure of that; you might look at the RECORD.

But I want to say with reference to conference reports that as I see it now it will not be possible to bring up the conference report on the veterans' bill, the so-called G. I. bill next week. Sena-

tor CLARK, chairman of the committee of conference, was called home and the conference was adjourned for a few days until he returns. We will meet again at the call of the chairman and expedite our work just as rapidly as possible with a view to bringing the conference report to the House as soon as we can.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. CANNON of Missouri. By way of recapitulation, we will resume consideration of the War Agencies Appropriation bill in the hope it will be completed this afternoon. If it is completed there will be no session tomorrow. If it is not completed this evening we will dispose of it tomorrow in a Saturday session.

Mr. McCORMACK. Of necessity we shall have to.

#### EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I have several unanimous-consent requests to submit.

On yesterday I asked unanimous consent to insert in the RECORD the address of Prime Minister Churchill before the House of Commons on day before yesterday. I find now that it will cover five pages of the RECORD and if all costs are included of running the Government Printing Office, and so forth, for that time, it would amount to \$260; but this is one of the most important statements on international affairs that has been made since the beginning of the war, and it was published in full in only one newspaper in the United States that I have been able to find, the New York Times. In the light of that situation I am going to ask unanimous consent that it may be inserted in the RECORD with these facts before us.

The SPEAKER. Without objection, notwithstanding the cost the extension may be made.

There was no objection.

[The matter referred to appears in the Appendix.]

#### CORRECTION OF RECORD

Mr. RANKIN. Mr. Speaker, on last Thursday in the debate on the floor of the House I am recorded as using this language:

Mr. RANKIN. Mr. Chairman, the time has been limited, and I would like to have 5 minutes to defend the stupidity of the legislatures of the various States from the attack of the gentleman from Minnesota [Mr. McMURRAY].

That statement was not submitted to me for correction or I would certainly have inserted "from Wisconsin" instead of "from Minnesota." I want to correct the RECORD to that extent to let the RECORD show that the gentleman is from Wisconsin, not Minnesota, and that I knew he was from Wisconsin.

Mr. McMURRAY. Mr. Speaker, if the gentleman will yield, I want to thank the gentleman for getting me back home in my proper State.

Mr. RANKIN. That was not any trouble.

#### EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own

remarks on the river and harbor bill and to include therein excerpts from some statements made before the Committee on Rivers and Harbors by Colonel Feringa and also some made before the Committee on Commerce of the Senate by Gen. Thomas M. Robins, the Assistant Chief of Army engineers.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. RANKIN. Now, Mr. Speaker, I ask unanimous consent that in the remarks which I shall make in the House today on the so-called F. E. P. C. item, to which I referred a few moments ago, I may extend my own remarks and include several clippings from Texas newspapers.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects and to include newspaper articles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. McMURRAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech I made last Saturday over the Columbia Broadcasting System.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks on two subjects and to include therein an article by Mr. Fred McColum, of the Forest City Times Herald, Forest City, Ark.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

#### PUNISHMENT FOR WILLFUL INJURY TO WAR MATERIAL

Mr. CLARK, from the Committee on Rules, submitted the following report on the bill (H. R. 3442, Rept. No. 1517) to amend sections 1, 2, and 3 of the act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes", approved April 20, 1918, as amended (40 Stat. 533; U. S. C., title 50, secs. 101, 102, and 103), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3442) to amend sections 1, 2, and 3 of the act entitled "An act to punish the willful injury or destruction of



war material, or of war premises or utilities used in connection with war material, and for other purposes", approved April 20, 1918, as amended (40 Stat. 533; U. S. C., title 50, secs. 101, 102, and 103). That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to reconsider.

#### LABOR AND FEDERAL SECURITY APPROPRIATION BILL

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent, in view of the statement made by the majority leader, that the Committee on Appropriations may have until midnight tomorrow night to file a report on the Labor and Federal Security appropriation bill; and I couple with that the request that all points of order be reserved on the bill.

#### INDEPENDENT OFFICES APPROPRIATION BILL

I further request that the committee also have until midnight tomorrow night to file a conference report on the independent offices appropriation bill, and that all points of order be likewise reserved on that conference report.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman means that points of order be reserved, not waived.

Mr. CANNON of Missouri. My request is that all points of order be reserved on both bills.

Mr. TABER. Mr. Speaker, reserving the right to object, the gentleman is making that request contingent upon the House being in recess tomorrow.

Mr. CANNON of Missouri. Yes. If the House is in session we will, of course, file it under the rules without securing leave.

The SPEAKER. The gentleman from Missouri [Mr. CANNON] asks unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file conference reports on the Labor and Federal Security bill and on the Independent Offices bill and that all points of order to each be reserved.

Is there objection?

There was no objection.

#### NATIONAL WAR AGENCIES APPROPRIATION BILL, 1945

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The SPEAKER. Does the gentleman desire to fix the time of general debate?

Mr. CANNON of Missouri. I have no

requests to submit as to time, Mr. Speaker.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4879), the National War Agencies appropriation bill, 1945, with Mr. COOPER in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. Allow the Chair to announce that at conclusion of debate on yesterday the gentleman from Missouri [Mr. CANNON] had consumed 1 hour and 30 minutes, the gentleman from New York [Mr. TABER] had consumed 43 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I ask to be recognized for 5 minutes.

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, Members have said that had they understood that the item which caused such controversy yesterday was not subject to a point of order they would have voted differently. In view of this misconception and the fact that the entire argument yesterday of the gentleman from South Dakota [Mr. CASE] was based upon the assumption that the item was subject to a point of order on the ground that it was proposed, an appropriation without authority of law, I desire to make a brief statement citing the authorities and in substantiation of the fact that the item is not subject to a point of order; that whether this request had been granted or had not been granted, it could not have been taken out by raising a point of order. It could not be eliminated by a point of order because it was authorized under Executive Order No. 9346.

Mr. TARVER. Mr. Chairman, will the gentleman yield at that point?

Mr. CANNON of Missouri. I yield to the gentleman from Georgia.

Mr. TARVER. The gentleman says it is authorized by certain legislation. Will the gentleman, waiving any question as to whether or not an appropriation for the agency is authorized by legislation, explain what legislation authorized the temporary employment of persons by contract or otherwise without regard to section 3709 of the Revised Statutes?

Mr. CANNON of Missouri. That is the very point I now propose to discuss.

Mr. TARVER. The gentleman admits that is legislative in character and therefore the whole paragraph undoubtedly would have been stricken on a point of order.

Mr. CANNON of Missouri. If the gentleman will contain his soul in patience, I shall be glad to enlighten him on the subject.

Mr. TARVER. I am perfectly patient, but I do not think the gentleman proposes to enlighten me.

Mr. CANNON of Missouri. If that is possible.

Mr. Chairman, this item was submitted to the Congress by the President, after having been transmitted to him by the

Bureau of the Budget, and referred to the Committee on Appropriations under Executive Order No. 9346, issued by the President on May 27, 1943, just 1 year ago tomorrow. He issued the Executive order by virtue of the authority vested in him as President of the United States and as Commander in Chief of the Army and Navy by the powers conferred in section 2, article II, of the Constitution.

Mr. Chairman, this matter has been passed upon by the Supreme Court of the United States and I will take just a minute or two to quote the opinion of the Court.

In *Hirabayashi v. United States* (320 U. S. 81), the Supreme Court said in upholding the west coast Japanese curfew orders:

It [the war power] extends to every matter and activity so related to war as substantially to affect its conduct and progress. The power is not restricted to the winning of victories in the field and the repulse of enemy forces. It embraces every phase of the national defense.

Similarly Chief Justice Charles Evans Hughes, in an article written for the American Bar Association during the First World War, wrote that the President's war powers were coextensive with "the power to wage war successfully"—42 A. B. A. report 232, 238.

In the recent case of *Ken-Rad Tube & Lamp Corporation v. Badeau* (No. 132 D. C. Western District Ky., May 9, 1944), Judge MacSwinford, in discussing the President's powers aside from statute, to seize the plant in question, wrote as follows:

I further conclude that without an act of the Congress there was sufficient authority by the terms of the Constitution itself to justify the action of the President in this case. The President has no power to declare war—that belongs exclusively to Congress. But when war has been declared and is actually existing, his functions as Commander in Chief become of the highest importance and his operations in that connection are entirely beyond the control of the Legislature. There develops upon him by virtue of his office a solemn responsibility to preserve the Nation and it is my judgment that there is specifically granted to him authority to utilize all resources of the country to that end.

Charged with the grave responsibility of preserving a Government which guarantees the property rights of individuals the Chief Executive as Commander in Chief must not be hampered in the prosecution of the war effort. His exercise of authority to this end is subject only to the review by the Court that his actions are not arbitrary or without reasonable justification. With this limitation there need be no fear that constitutional government as we know it in these United States will be abolished, destroyed, or impaired.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield myself 10 additional minutes.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Missouri yield for a parliamentary inquiry?

Mr. CANNON of Missouri. I yield to the gentleman from Michigan.



The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOFFMAN. Mr. Chairman, does this 10 minutes come out of the time of debate or is it in addition to that?

The CHAIRMAN. Answering the parliamentary inquiry, this is general-debate and any time yielded, of course, comes out of general debate.

Mr. HOFFMAN. Will the gentleman yield for a question?

Mr. CANNON of Missouri. I yield to the gentleman.

Mr. HOFFMAN. Does the gentleman contend that the President has a right, for example, to tell the railroads of the South or of any part of the country whom they shall employ?

Mr. CANNON of Missouri. The gentleman understands that we are trying to dispose of this bill today, and I am taking as little time as possible on the question before the House. For that reason I am confining myself to the point under consideration at this time. At some later time I shall be glad to take up other issues with the gentleman.

Mr. HOFFMAN. This \$500,000 is in this bill and that is one of the points that is before the House.

Mr. CANNON of Missouri. If my friend will permit, I am discussing the parliamentary situation status of the item on page 9 under the order granted by the House on Wednesday.

Mr. RUSSELL. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. RUSSELL. Inasmuch as the gentleman has made the statement that the President has power under Article II, Section 2, of the Constitution to set up this bureaucratic institution, which the gentleman has discussed, under Section 2, Article II, I would like for the gentleman to point out one phrase, one word, or one clause in Section 2, Article II, of the Constitution that authorizes the President to set up such an agency.

Mr. CANNON of Missouri. I would not presume to undertake to do what the Court itself has done so much better and more authoritatively.

Concerning the existence of the President's Constitutional powers, Attorney General Murphy said—39 Opinions 347:

You are aware, of course, that the Executive has powers not enumerated in the statutes—powers derived not from statutory grants but from the Constitution. It is universally recognized that the constitutional duties of the Executive carry with them the constitutional powers necessary for their proper performance. These constitutional powers have never been specifically defined, and in fact cannot be, since their extent and limitations are largely dependent upon conditions and circumstances. In a measure this is true with respect to most of the powers of the Executive, both constitutional and statutory. The right to take specific action might not exist under one state of facts, while under another it might be the absolute duty of the Executive to take such action.

Theodore Roosevelt wrote in his autobiography:

My view that every executive officer, and above all every executive officer in high position, was a steward of the people bound actively and affirmatively to do all he could

for the people, and not to content himself with the negative merit of keeping his talents undamaged in a napkin. I declined to adopt the view that what was imperatively necessary for the Nation could not be done by the President unless he could find some specific authorization to do it. My belief was that it was not only his right but his duty to do anything that the needs of the Nation demanded unless such action was forbidden by the Constitution or by the laws.

The wartime powers of the President can best be explained by pointing out some of the most famous historical examples of the exercise of those powers. Abraham Lincoln, who took office at a time when Congress was not in session and when rebellion was spreading swiftly throughout the Southern States, had to take many drastic steps under his war powers. He issued a call for volunteers, he increased the size of the Regular Army and Navy, he issued regulations which in effect resulted in compulsory conscription, he authorized the seizure of property of private citizens wherever it was indispensable to the successful prosecution of the war, he ordered the blockade of southern ports, and he proclaimed the emancipation of the slaves—all without enabling legislation. At his direction, Postmaster General Blair closed the mails to certain newspapers which publicly advocated that the Federal Government accede to the demands of the Confederacy. A congressional committee, investigating this action, concluded that the President not only had the authority, but that it was his positive duty to close the mails in such cases. The committee stated that "Every government, unless by its constitution restricted, has the most ample power of self-preservation, and it is by no means essential to that power that it should be enumerated among its expressly granted powers. It springs from the essential elements of government itself."

Our Presidents have often been forced to use these constitutional powers to protect American shipping. Thus President Adams in 1798 authorized the arming of American merchantmen to resist the attacks which were being made upon our commerce by the French, and in 1801 President Jefferson sent a squadron of frigates into the Mediterranean to protect our commerce against the Barbary brigands. Naval vessels were ordered to sea to protect the merchant marine of the United States by Buchanan in 1858 and by Lincoln in 1861, with no congressional authorization. Blockades were established with no legislative authority along the Mexican coast by Polk in 1846, along the southern coast by Lincoln in 1861, and before certain Cuban ports in 1898 by McKinley. These are all examples of the type of special emergency powers which the President must exercise when he finds that the national safety demands such action.

In more recent times, our Presidents, in the emergency of war or of threatened war, have had to take sudden and drastic steps to preserve the national strength. During the last war, for instance, when President Wilson found that our national safety demanded an immediate control of messages entering and

leaving the country, he ordered a very strict censorship of all foreign cable, telephone, and telegraph messages, solely in his authority as Commander in Chief. Before we entered the present war, President Roosevelt found it necessary to direct the Secretary of War by Executive order to take over the plant of the North American Aviation Co., and and to produce the airplanes called for by its Government contracts because it was apparent that a strike there was seriously hampering our national defense. The legal basis for this action was stated by the Attorney General:

There can be no doubt that the duty, constitutionally and inherently, rested upon the President to exert his civil and military as well as his moral authority to keep the defense effort of the United States a going concern.

These and many other actions of Presidents of the United States, taken in pursuance of their duty to protect the Nation and its citizens, have sometimes been challenged as being beyond the scope of authority outlined for the President in the Constitution. The general approval of the American people, however, and the frequent recognition and ratification of such acts by Congress have conclusively answered the arguments of those who would make the President powerless in a time of national crisis. As former Chief Justice Hughes once said:

The framers of the Constitution did not contrive an imposing spectacle of impotency. \* \* \* Self-preservation is the first law of national life and the Constitution itself provides the necessary powers in order to defend and preserve the United States.

"The transaction of business with foreign nations," which as Jefferson said, "is executive altogether," is also a very important element in determining the war policies and actions of the United States. Even in the process of making a formal treaty, which must of course be ratified by the Senate, all the preliminary negotiations are completely in the hands of the President or his agents. In time of war or of international emergency, it is the President's duty to make clear, by declaration or by agreement with representatives of other nations, the policy which the United States intends to pursue with regard to the war or the emergency. Because of his special sources of knowledge and because of his responsibility for the direction of our State Department and our ministers abroad, the President must both formulate our American foreign policy and make certain that it is understood by the nations whom it concerns.

The earliest important exercise of this power was the proclamation of neutrality issued by President Washington in 1793. Mindful of the weakness of the new republic and fearing that our free growth might be damaged should we become involved at that time in the war between France and Great Britain, Washington determined that the national interest required that we remain free from involvement in that struggle.

The proclamation of the Monroe Doctrine in the President's message to Congress of 1823 is perhaps the most famous



example of the exercise of executive power in the field of foreign relations. Although announced by President Monroe with no legislative authorization, this "Doctrine" which has served as a warning to any European or Asiatic nation whose actions threaten the liberty and safety of any independent government on either of the American continents, has from the time of its announcement to the present day been one of the fundamentals of our national foreign policy. As President Cleveland said of it:

It may not have been admitted in so many words to the Code of International Law but \* \* \* it has its place in the Code of International Law as certainly and as securely as if it were specifically mentioned.

Another declaration made by the President, over a century later, in conjunction with the Prime Minister of Great Britain, may become an equally important part of our foreign policy in the future. This is the Atlantic Charter, a declaration of joint policy of the United States and Great Britain in relation to the people of every land on the face of the earth, which was signed by President Roosevelt and Prime Minister Churchill at a meeting on a warship in the North Atlantic during August 1941.

The President's power with regard to foreign affairs does not stop, however, with mere declarations of policy. He has also the power to enter into international agreements of more immediate and practical importance. Under such an agreement the United States Government in September 1940 transferred 50 destroyers to Great Britain in return for leases of important naval bases on British territory in the Western Hemisphere. In transmitting to Congress copies of the notes which had been exchanged, the President explained this action by pointing out that—

Preparation for defense is an inalienable prerogative of a sovereign state. Under present circumstances this exercise of sovereign rights is essential to the maintenance of our peace and safety.

The President thus, acting under the executive power placed in him by the Constitution, buttressed the strength of one of our future allies in one of her most critical hours and at the same time greatly strengthened our own national defense.

No President of the United States, however, takes it upon himself—as do the dictators and ruling cliques of the Axis nations—to ignore or violate the will of the people by acting solely upon his own personal convictions or desires. The sweeping emergency actions of American Presidents have been taken in times of national crisis when Congress was not in session or could not act quickly enough to meet the necessities of the moment. Such acts have always been in accord with the President's belief as to the way in which the people and the Congress of the United States would direct him to act were there sufficient time to consult them through elections or the regular legislative processes.

Often when the President has been forced to use his emergency powers, he has asked that Congress specifically approve and authorize these acts. Thus,

the action of President Jefferson in sending the American Fleet into the Mediterranean to wage war against Tripoli was communicated to Congress at the opening of its next session, and Congress thereupon gave its authorization to the hostilities. Similarly, all the orders and proclamations of President Lincoln, increasing the size of the Army and Navy and calling out volunteers, were, by later act of Congress "approved and in all respects legalized and made valid, to the same intent and with the same effect as if they had been issued and done under the previous express authority and direction of the Congress of the United States."

During the First World War, President Wilson had, with no statutory authority, ordered Mr. Hoover, the Chairman of the Committee on Food Supply and Prices, to take all necessary steps to further the saving of food and the elimination of waste, because he believed it essential to our war effort that the program be started immediately. Shortly thereafter Congress passed the Food and Fuel Control Act, which not only confirmed the powers the President had already exercised but also authorized him to take many other steps necessary to guarantee an adequate supply of food and fuel at reasonable prices. Since the start of the present war, Congress has similarly ratified an order of President Roosevelt which gave the Secretary of War and certain military commanders the power to set up military areas, to exclude any or all persons therefrom, and to impose restrictions "in his discretion" on the right of any person to enter, remain in, or leave such an area. Realizing that this order was necessary because of emergency situations in our coastal area, Congress recognized its validity and gave it added strength by making it a criminal offense to violate any of the restrictions imposed in such military areas.

When circumstances permitted, the President has often consulted with the Congress about an emergency action, even though he already had the power to act under the Constitution or under existing statutes. Thus, President Wilson, when he wished to arm our merchantmen in 1917, said in a message to Congress:

No doubt I already possess that authority without special warrant of law by the plain implication of my constitutional duties and powers, but I prefer in the present circumstances not to act upon general implication. I wish to feel that the authority and the power of the Congress are behind me in whatever it may become necessary for me to do. We are jointly the servants of the people and must act together and in their spirit, so far as we can divine and interpret it.

It was only after the President saw that an overwhelming majority of both Houses were in favor of specifically granting him this power and that the passage of a bill to that effect was being delayed by the technical obstructions of a small minority that he ordered the merchantmen armed.

Similarly, President Roosevelt, in the present war, although convinced that he had the power to limit the further rise of prices on agricultural commodities, pre-

ferred to go to Congress for specific authority to do this. In his message of September 7, 1942, he said:

The President has the powers, under the Constitution and under congressional acts, to take measures necessary to avert a disaster which would interfere with the winning of the war. I have given the most thoughtful consideration to meeting this issue without further reference to the Congress. There may be those who will say that if the situation is as grave as I have stated it to be I should use my powers and act now. I can only say that I have approached this problem from every angle, and that I have decided that the course of conduct which I am following in this case is consistent with my sense of responsibility as President in time of war, and with my deep and unalterable devotion to the processes of democracy.

But the conduct of our national defense does not depend entirely or even to a large extent on the special emergency powers of the President. Most of the broad discretionary powers which a President exercises in time of war are given to him by acts of Congress. When the Nation enters upon a war, or when it is confronted by a threat to its safety, the people and Congress have always recognized that many serious problems will arise which demand a solution so swiftly that they cannot be solved by specific congressional action. Trusting in the wisdom of the President to use his powers only to the extent necessary to save the Nation harmless through these crises, Congress has therefore delegated to him many types of wide and general powers. In some instances the grants of power have been only temporary, designed to meet an immediate but passing need. In others they have remained a part of the body of our national law as a reserve of legislative preparedness for the emergencies of national defense.

One of the first national emergencies which called forth legislation of this type was the Pennsylvania Rebellion of 1792. To enable President Washington to put down this rebellion, Congress empowered him to call out the militia of the States to enforce the laws "whenever the laws of the United States shall be opposed, or the execution thereof obstructed," or "whenever the United States shall be invaded, or be in imminent danger of invasion from any foreign nation." This statute, enacted and reenacted in many different forms throughout our national history, finds a place still in our code of laws today.

From the early history of our country comes also the act of 1798, still in force, that empowers the President in time of war or of threatened invasion to apprehend and detain enemy aliens. In answering objections to the breadth of power given the President by this act, the chairman of the committee which had drafted it explained that—

It would be impossible for Congress to describe cases in which aliens \* \* \* ought to be punished or not; but the President would be able to determine this matter by his proclamation.

This recognition by Congress of the necessity of providing for the President a wide sphere of discretionary action in certain types of emergency cases where the specific problems cannot be foreseen



has continued throughout our national history, and has been one of the greatest elements in the success with which our democracy has been able to meet a crisis.

It has been recognized throughout our history, for instance, that in war, when there is not the time to go through the ordinary processes of bargaining and contract, it may be necessary for the Government to take the property of a citizen for military purposes upon the payment of its fair value. Before our National Government had been formed, General Washington was given the power by the Continental Congress during the struggle by which we obtained our independence "to take, wherever he may be, whatever he may want for the use of the Army, if the inhabitants will not sell it, allowing a reasonable price for the same."

During the last war the President was empowered to take over and operate any factories or industries necessary for the production of military supplies if the owners refused to produce war supplies for the Government. An almost identical statute was passed in September 1940, even though we were then still at peace, because of the necessity of swiftly strengthening our defenses.

A very broad requisitioning statute was passed a few months before our entrance into the present war. This act applies to a wide range of military or naval equipment and to the tools and materials necessary to produce or operate that equipment. If the need for a particular piece of property is immediate, if there is no other source of supply, and if it cannot be obtained upon fair and reasonable terms, the President "is authorized to requisition such property upon the payment of fair and just compensation, and to dispose of such property in such a manner as he may determine is necessary for the defense of the United States."

The history of this statute is an illustration of the self-corrective processes of our American democracy. During the First World War, as the need for the exercise of requisitioning powers became evident, a long series of statutes was passed, each of which gave to the President the power to requisition a different type of article. When we began to prepare our national defense before the present war, Congress realized from this experience that piecemeal delegation of the requisitioning power is not adequate, because it is never possible to foresee all the types of articles which will have to be taken. Congress, therefore, gave to the President the general requisitioning power which they believed he needed.

Another type of Presidential power which has been found necessary during time of war is the authority to prohibit commercial intercourse with enemy nations. As our international commercial relations have become ever more complex, it has been necessary for Congress to delegate broader powers in this field. Within 2 weeks after our entrance into the present war, the First War Powers Act gave to the President complete discretion to regulate or prohibit any transactions whatsoever involving any property in which any foreign nation or citi-

zen of a foreign nation has any interest.

As the mechanization of armies has increased, the mobilization of manpower for the armed forces has been increasingly matched by the mobilization of the Nation's physical and industrial resources. Today this discretionary control of the President over the Nation's business and industry has expanded until he has a complete power of life and death over every enterprise in the Nation. He may order factories to produce certain specified articles and nothing else; he may permit them to purchase certain raw materials in certain quantities for certain purposes or he may cut them off entirely; he may designate the persons to whom they may sell and the quantities they may sell. All these powers, tremendous in their potentialities of abuse, have been freely given to the President for the period of the war because of our knowledge and faith that he will use them for the common good alone.

In order that the war mobilization of the Nation's resources might be achieved without disastrous effects on the civilian population, the Food and Fuel Control Act was passed in 1917. It vested in the President the power, whenever he deemed it essential, to license the importation, exportation, manufacture, and distribution of food, feed, fertilizer, and fuel; to regulate the businesses so licensed; to fix prices of such food and fuel; to requisition food, fuel, and other supplies or factories or mines in which they were produced; and to take many similar steps to preserve a free and adequate flow of food and fuel. Under this act, the President was able to do much to prevent the unnecessary hardships and deprivations of the civilian population which the continued unchecked operations of our peacetime economic system would have produced.

In the present war, several "sweeping delegations of power have been made to enable the President to meet similar problems. Among these, for instance, is the act of October 2, 1942, which authorizes and directs the President "to issue a general order stabilizing prices, wages, and salaries, affecting the cost of living." This act contains, of course, certain limitations of the power of the President and certain directives of policy which the Congress wishes him to follow; but by and large, it delegates to the President the power to take any steps he deems necessary to prevent inflation and resulting economic hardships. It constitutes a recognition by Congress that such a problem can be solved only by day-to-day decisions, as new difficulties arise which must be solved instantly and effectively.

A delegation of power of a new type was made to the President during the emergency which preceded our entrance into the present war. Although we were not yet involved in hostilities, the people of America and the Members of Congress saw clearly that our national safety depended upon the continued resistance of the democratic nations which were fighting a gallant struggle against the aggressors. For this reason, we desired to supply those nations with arms and

other necessary supplies even though they no longer had the money to pay us for them. It was evident that such a program could not be carried through by numerous specific statutes. Under the Lend-Lease Act, therefore, he is empowered "when he deems it in the interest of national defense" to authorize the manufacture or procurement of any defense article "for the government of any country whose defense the President deems vital to the defense of the United States." The terms and conditions upon which such aid is to be given are to be "those which the President deems satisfactory" and the benefit to the United States may be payments, repayments in kind, or "any other direct or indirect benefit which the President deems satisfactory."

These are only a few illustrations of the vast powers which have been freely delegated to the Presidents of the United States in times of national emergency. They constitute the most eloquent proof that can be found of the faith of the American people in our democratic system of government. These powers were not seized arbitrarily by a small clique as in Japan; they were not obtained by elections where there is only one possible way to vote, as in Nazi Germany; they do not rest upon the meaningless assent of a packed, sham legislature, as in Fascist Italy. They were given freely by a democratic Congress to a President freely elected by the people, so that he can coordinate the energies, the labor, and the property of all the people for the common welfare in time of national peril. They were given only temporarily, for use in emergency situations. As President Roosevelt has said, "When the war is won, the powers under which I act automatically revert to the people—to whom they belong."

Mr. Chairman, the authorities, and the instances of exercise of the war powers of the President which I have cited, conclusively sustain the contention that the item on page 9 of the bill is not subject to a point of order under the rules of the House. I regret that there was no opportunity to present them yesterday when the issue was raised.

They effectively refute any suggestion that the order for the consideration of the pending bill in any degree affected the status of the appropriation recommended by the Committee on Appropriations for the Committee on Fair Employment Practice.

I shall be glad to answer any further questions on the subject during consideration of the bill under the 5-minute rule.

(Mr. CANNON of Missouri asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. TABER. Mr. Chairman, I yield 30 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, as the report indicates, this bill carries appropriations for 18 agencies. For those 18 agencies the Congress has provided appropriations or contract authorizations for the present fiscal year to the extent of \$2,819,000,000. This bill provides appropriations or contract au-



thorizations amounting to about \$1,033,000,000 for these agencies. In other words, the sum recommended is about \$1,785,000,000 less than the sum carried for the present fiscal year, and about \$38,000,000 less than recommended by the Bureau of the Budget.

In view of the extended comments by the chairman of the committee the gentleman from Missouri [Mr. CANNON], and the remarks of the gentleman from New York, the ranking minority member of the committee [Mr. TABER] I shall confine my remarks to comments on two or three of the agencies which are provided for in this bill.

#### WAR SHIPPING ADMINISTRATION

The largest item in the bill is an item of \$550,350,000 for War Shipping Administration, which compares with an appropriation for the current fiscal year of \$2,272,350,000.

The appropriation provides, first, the sum of \$350,000 for the State marine schools. The same amount was provided for the current fiscal year. The appropriation provides next the sum of \$80,000,000 as compared with \$72,000,000 for the current fiscal year, for the maritime training fund, the increase being due to the increased number of trainees and recruits estimated for the next fiscal year. Finally it provides the sum of \$470,000,000 for the agency's revolving fund. That sum of \$470,000,000 is to be increased by a \$100,000,000 transfer from the insurance fund of the agency and by \$821,000,000, representing an unexpended balance for the current fiscal year. In other words, there will be \$1,391,000,000 available for the revolving fund.

While on the face of things there appears to be a decreased appropriation, it is really an increase when the unexpended balance of \$821,000,000 is taken into consideration. The agency estimates gross expenditures for the next fiscal year of \$2,840,000,000, an increase of about 24 percent, which results in the main from an increase in the fleet of ships from something over 3,000 to something over 4,000, or about 33 percent. The committee has allowed the full request for the agency with the exception of \$20,000,000.

The tremendous contribution which the War Shipping Administration is making to the war effort is shown in the hearings and is rather fully outlined in the committee report.

Last January when the Maritime Commission appropriation was under consideration by the House, I inserted in the RECORD certain detailed information indicating, in the absence of explanation, and regardless of legal questions, gross waste of the people's money.

As the Members will recall, I placed in the RECORD tables compiled from figures presented by the Maritime Commission, War Shipping Administration, and other official sources, referring to purchase prices, charter hire, insurance, Red Sea charters, ships traded in for credit, agency fees, profits, and so on. It was at about the same time that the Comptroller General made his report to the Congress in respect to the purchase of 10 vessels from the Southern Pacific Co., Morgan Line, in the course of which he stated:

There is evidence that the Commission utterly disregarded its responsibility to the Congress and the taxpayers of the United States by pursuing a course of action which was unsound and imprudent at the very outset, and could lead only to waste and extravagance in the expenditure of public funds.

Some time later on, March 28 to be exact, further information and further tables were inserted in another body purporting to show the increase in assets, the increase in capital, dividends and profits, of 11 or 12 companies referred to in the bill during the period 1938-43. This information appears at page 3222 of the CONGRESSIONAL RECORD of March 28, 1944.

These tables indicate among other things that one company during the years 1938 to 1943 increased its assets from \$9,000,000 to \$43,000,000, increased its capital from \$4,000,000 to \$31,000,000, paid preferred stock dividends of 5 percent in each of the years and common stock dividends reflecting increases in the respective years of 55 percent, 96 percent, 100 percent, 150 percent, and 200 percent.

The War Shipping Administration in the record now under consideration reports that a new schedule of reduced rates is now proposed. That schedule calls for a basic bare boat rate of \$1.25 per dead weight ton per month, reflecting a decrease of from 5 to 10 percent and a rate for insurance valuation of \$56.25 per dead weight ton, a decrease of about 25 percent, with an estimated saving, according to the agency, of some \$50,000,000. The details appear in the record.

The whole matter has been complicated by the legal questions which have been raised with reference to the interpretation of section 902 of the Merchant Marine Act and the so-called enhancement clause. The legality and propriety of the proposed reductions may still be open to question. Further detailed information is essential.

The War Shipping Administration seeks to fix rates which it considers both legal and fair. It is interesting to compare in this connection the \$1.25 rate per dead weight ton per month now suggested as fair, with the \$5.13 average per dead weight ton per month rate actually paid in respect to the Red Sea charter.

Commenting editorially recently on this general situation, the New York Journal of Commerce stated that:

For more than 2 years the question of ship values and earnings has been passed around Washington from agency to agency, and from committee to committee, without once arriving in any office where anybody would accept the full responsibility for it.

It went on to state that W. S. A. wanted to adopt a certain scale of value but the Comptroller General declared it was too high; further, that W. S. A. hesitated to flout the Comptroller and entered into inconclusive negotiations with him instead; further, that three eminent judges were finally called in by the President to advise on the matter but that there is still no agreement on their own conclusions. It states:

Surely it is time for Congress to look into the matter and find out what is wrong.

If Congress is to look into this matter, Mr. Chairman—and it should be looked into immediately—it cannot, in my judgment, be done within the scope of appropriation hearings. Only through a thorough investigation can we ascertain all the facts as a basis for intelligent action.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to my distinguished friend from the Committee on the Merchant Marine and Fisheries.

Mr. O'BRIEN of New York. I wish to inform the gentleman that I have been tremendously interested in what he has had to say. The various illegalities that he refers to are now under advisement and have been under advisement by the Committee on the Merchant Marine and Fisheries and its subcommittees for quite some time. Some of these cases have been adjudicated. As far as the Comptroller General's office is concerned—and I believe the gentleman is aware of that—may I ask if there is another agency in Washington, in the gentleman's estimation, that has done the splendid job that the Maritime Commission has done under the able leadership of Admiral Land?

Mr. WIGGLESWORTH. I have many times on the floor of this House taken off my hat to the fine work that both the Maritime Commission, in terms of construction, and the War Shipping Administration, in terms of transportation, have contributed to the war effort. The criticisms which I directed at both agencies, as the gentleman well knows, has been directed at the financial operations of the two agencies. I think that sooner or later those operations will have to be thoroughly investigated.

I fully appreciate the fact that the committee of which the gentleman is a member has had under consideration some of these matters for a very long time, as the gentleman indicates. I hope that it will not be much longer before the House may have the benefit of the critical conclusions of that committee.

Mr. O'BRIEN of New York. I appreciate the gentleman's criticism because it is always constructive and very beneficial to the members of the committee. I for one appreciate it.

Mr. WIGGLESWORTH. I thank the gentleman.

Mr. Chairman, the record indicates that the results of W. S. A. renegotiation have not been substantial and that further progress in this connection in respect to the Red Sea charters has not yet been made. Two lines, and two only, have made voluntary repayments aggregating something like \$310,000.

The Members will find further information in regard to trade-ins for credit under section 510 of the act in a table on page 499 of the hearings. The information is not complete, however, in that original construction costs and dates of trade-ins are not furnished.

Agency fee figures will be found at page 503 of the hearings.

Three other matters may be mentioned in passing. First, in reference to the agency's inspection force, the record develops that instead of the \$50,000,000



saving that was confidently anticipated in November when an inspection force of 5,000 was requested and allowed by the Congress, it is now estimated that the saving will be somewhere between \$2,000,000 and \$10,000,000, and that the inspection force will be reduced to about 100 individuals.

Second, in the matter of the accounting of W. S. A.'s finances, in May of 1943 Admiral Land advised your committee that a complete audit of W. S. A. had been requested by the Comptroller General and that it would require only a matter of months to complete it. In April of 1944 he advised your committee that the Comptroller General was still working on the audit and that he had no idea how long a job it would be. I have a letter dated May 5, 1944, from the Comptroller General indicating that this audit is in active progress, but that it has not yet been completed.

The CONGRESSIONAL RECORD of March 28, 1944, at page 3214, quotes the Comptroller General in this connection as follows:

The latest balance sheet available is as of June 30, 1942. A recent examination thereof was made by a representative of this office who reported that the records were in such condition—supporting documents and papers being missing—that a proper verification of the balance sheets of the War Shipping Administration and the United States Maritime Commission as of June 30, 1942, was impossible.

Finally, in respect to the matter of expense accounts, I have a letter from the Comptroller General indicating that one of the big shipbuilding corporations of this country has been paying for rooms, meals, cafe charges, transportation, and other expenses of officials and employees of the United States Maritime Commission, and not only of the officials and employees themselves but of their wives and other members of their families.

The aggregate sum paid is not a large amount but the principle involved is fundamental. The payments listed number 155, the officers and employees named number 33, and include some of the high ranking officers of the agency. Obviously it is improper to accept such payments from the contractor doing work for the Federal Government. The matter does not reflect creditably upon the agency. It is to be hoped and assumed that there will be no repetition of this practice.

#### OFFICE OF WAR INFORMATION

Now, Mr. Chairman, I want to comment on the O. W. I., for which the sum of \$64,390,000 was requested as compared with \$38,222,504 for the current fiscal year. The request is divided into three parts: First for administration, about \$2,363,000, an increase of about \$200,000 as compared with the present fiscal year; second, about \$2,264,000 for the Domestic Branch, a decrease of about \$300,000; and third, about \$59,562,000 for the Overseas Branch, an increase of about \$26,200,000, or 70 percent.

The committee allowed the request for administration expenses in full, cut the request for the Domestic Branch by something over \$264,000 and reduced the

request for the Overseas Branch by \$5,500,000, a total reduction of \$5,764,633.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. BROWN of Ohio. The Committee on Appropriations, however, is giving to the O. W. I., in this appropriation, a little more than \$20,000,000 above the appropriation for this year; is that correct?

Mr. WIGGLESWORTH. The gentleman is correct.

Mr. BROWN of Ohio. That means that the total appropriation for the O. W. I. for the coming fiscal year will be somewhere above 30 percent more than for the present fiscal year; is that correct?

Mr. WIGGLESWORTH. It will be about \$58,625,000 as compared with about \$38,222,000.

Mr. BROWN of Ohio. That is an increase of better than 30 percent, or almost 35 percent, if my mathematics are correct.

Mr. WIGGLESWORTH. It is more than that. It is over 50 percent.

Mr. BROWN of Ohio. Yes; 50 percent. Now you have included in your original appropriation, of course, the deficiency appropriation?

Mr. WIGGLESWORTH. Yes; that is in there.

Mr. BROWN of Ohio. So that actually the increased appropriation this year over last year, counting the regular appropriation and the deficiency appropriation, is more than 50 percent?

Mr. WIGGLESWORTH. That is correct.

Mr. BROWN of Ohio. Has that unusual increase been justified, in your opinion?

Mr. WIGGLESWORTH. So far as I am concerned the figure reported represents a compromise agreement in committee.

Mr. BROWN of Ohio. Was there a unanimous agreement in the committee on the amount?

Mr. WIGGLESWORTH. As finally reported the figure was unanimously agreed to.

Mr. BROWN of Ohio. Can you tell the Committee in a few words or sentences just what this additional \$20,000,000 is to be used for?

Mr. WIGGLESWORTH. It is practically all for the Overseas Branch of the agency. If the gentleman will look at page 40 of the hearings he will find a break-down of the various divisions of work of the agency, and the increases requested for each.

Mr. BROWN of Ohio. I have read that break-down, but I still do not understand just what new situation has developed that calls for such a great increase in the appropriation.

Mr. WIGGLESWORTH. Of course, the major item in the increase is in respect to the outpost service of the Overseas Branch for which the agency asks, if I recall correctly, 35 additional outposts. The work is being built up all along the line in view of the contemplated invasion.

Mr. BROWN of Ohio. Have any of the conditions of which the members of

this committee complained at the time the deficiency appropriation was before the House last autumn, or the regular appropriation was before the House last May, been corrected?

Mr. WIGGLESWORTH. I will say to the gentleman that I think there has been some improvement but that personally I am far from satisfied in my own mind, as I shall develop as I go along, with conditions as they appear to be at this time.

Mr. BROWN of Ohio. It is rather, in my opinion, if I may say so, strange, and there must have been some great change in conditions or certainly some great change in the attitude on the part of the committee to cause the committee which originally criticized greatly the action of the O. W. I., to suddenly come in here with a bill that is \$20,000,000 higher or 50 percent higher than in the current year and approve it unanimously and ask the House to accept it without question. I cannot understand it.

Mr. WIGGLESWORTH. I will say to the gentleman that the minority members of the committee have been very critical of O. W. I. in the past and so far as I know they are very critical of the O. W. I. at the present time. The fact remains, however, that the picture is very different today from the picture, let us say, in November, because of the impending invasion.

Mr. BROWN of Ohio. Well, you do not know of any of these members of the O. W. I. who are going to do any fighting, do you? They are not going to carry guns or get into the conflict?

Mr. WIGGLESWORTH. I think it is a very great question how much of the work of this agency is of value and how much of it is valueless. But the basis for stepping up the request is the stepping up of its work all along the line in the light of the pending invasion.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield briefly.

Mr. CELLER. It is well to make a comparison between the expenditures made by our Government through the O. W. I. and that which the Germans are making: For example, Mr. Davis testified, according to the statement in the London Economist, that the Germans spent, altogether, about \$540,000,000 a year for propaganda. Our efforts are Lilliputian in comparison.

Mr. WIGGLESWORTH. I do not think that is a fair comparison. In fact, I think it is pretty valueless for the reason pointed out on the floor yesterday that the entire radio set-up and all the newspapers of Germany are under government operation.

Mr. CELLER. It may not be an exact comparison, but it certainly leads to the conclusion we are spending very little in that regard.

Mr. TABER. Mr. Chairman, if the gentleman will yield there, it probably costs the Germans \$500,000,000 to operate their newspapers and their radios without anything else. If their total is \$540,000,000 that would be about \$40,000,000 for propaganda. Of course, my



guess is just as good as yours and yours is just as good as mine. But that is the picture. That is why the thing is not a fair comparison between the O. W. I. and the German figure.

The German figure is the over-all publicity and communication cost.

Mr. CELLER. That may be so, but it is interesting nonetheless to have these figures with reference to what the Germans spend for their over-all propaganda.

Mr. TABER. The British figure of \$80,000,000 includes British-owned radio, whereas our domestic radios are privately owned.

Mr. CELLER. I am not criticizing.

Mr. TABER. That is one reason why it is not a dollar-for-dollar comparison.

Mr. CELLER. I am not criticizing what the Appropriation Committee has done or what the gentleman from New York has said or done, but I think it is well to have before the House information which I have given.

Mr. BENNETT of Missouri. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. BENNETT of Missouri. I notice on page 132 of the hearings the comments of some gentleman by the name of Cowan. Who was he? Was he connected with O. W. I.?

Mr. WIGGLESWORTH. You will find on the first page of the hearings his exact title.

Mr. BENNETT of Missouri. I notice he makes the statement that "the people of the world have been subjected to a lot of propaganda, particularly occupied countries, and are pretty well fed up on it."

Mr. WIGGLESWORTH. I recall that statement.

Mr. BENNETT of Missouri. If that is true, this tremendous increase of several millions in the appropriation would just add to the nausea, would it not?

Mr. WIGGLESWORTH. I will say to the gentleman that the figure before the House is a compromise figure. Had I been setting the figure personally, I would have set it lower, but I have agreed to this figure, and I am going along with it in the light of the conditions overseas by which we are confronted.

Mr. BROWN of Ohio. Will the gentleman yield further?

Mr. WIGGLESWORTH. I yield briefly.

Mr. BROWN of Ohio. The amount of the increase contained in the appropriation for O. W. I. is for the foreign division?

Mr. WIGGLESWORTH. Yes; most of it.

Mr. BROWN of Ohio. Practically all of it?

Mr. WIGGLESWORTH. Yes.

Mr. BROWN of Ohio. What percentage of the amount of money spent by O. W. I. for foreign propaganda is spent for propaganda within Great Britain or within countries where the English language is read and where the propaganda material is printed in English.

Mr. WIGGLESWORTH. I cannot give the gentleman a specific answer to that. There was a break-down in the hearings last November, as I recall it, but I do not

think the present record brings it up to date.

Mr. TABER. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. TABER. Fifty percent at least of the short-wave broadcasts going out of New York are in English. That applies probably about the same on the west coast. So that all of that might be said to be directed to the British as well as to those who understand English on the Continent. How many of them there might be I would not say.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. WIGGLESWORTH] has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. BROWN of Ohio. Will the gentleman yield.

Mr. WIGGLESWORTH. I yield.

Mr. BROWN of Ohio. How many English-speaking nations do we have listed among our enemies? Are there any? I know of no enemy of the United States today that speaks English. Yet, a great percentage, perhaps half or more of all the propaganda put out by the O. W. I. in their foreign branch, is printed or spoken in English. Evidently we are propagandizing not our enemies, but our allies. I wonder why it is necessary to spend so much money for that purpose.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. VURSELL. I know the committee has done its very best. As I understand, the requests for these appropriations are based largely upon the testimony of Mr. Sherwood, in charge of the Overseas Branch, and Mr. Davis. Is that not the basis?

Mr. WIGGLESWORTH. Mr. Sherwood was not present in person, but Mr. Davis was present, as were other principal officers of the agency.

Mr. VURSELL. Unfortunately, from the standpoint of economy, those two men are newspapermen—advertising men. They handled this matter so badly that the Congress practically had to stop some of their work in the United States. So it seems to me they are likely asking for a greater amount of money than is needed, and that possibly we are getting off to a bad start if their testimony is relied upon.

Mr. WIGGLESWORTH. I think the gentleman may very well be right.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. COCHRAN. Being the ranking member of the subcommittee handling the independent offices appropriation bill, the gentleman naturally is advised with reference to the Senate amendment, which being legislation, will have to be brought back to the House for a separate vote by the conferees, which as I understand, prohibits the spending of any money from any appropriation bill for certain activities after January 1, 1945. Is that correct?

Mr. WIGGLESWORTH. Unless the Congress specifically appropriates for them.

Mr. COCHRAN. Then how many of the appropriations in this bill will be affected by that amendment?

Mr. WIGGLESWORTH. I do not think any one of them will be affected by it if the Congress is specifically appropriating for them. If the gentleman will pardon me, I would rather reserve discussion on that until we get to the independent offices bill, because I want to proceed with the subject under discussion.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a brief question?

Mr. WIGGLESWORTH. I yield.

Mr. DONDERO. What evidence was presented to your committee to justify this increased appropriation for O. W. I. particularly for the foreign broadcasts?

Mr. WIGGLESWORTH. As I have already indicated, the fundamental basis is the stepping up all along the line, of all divisions of the foreign broadcast division, in view of the pending invasion.

Mr. DONDERO. It is mostly speculative as to what value it has?

Mr. WIGGLESWORTH. Well, it is a matter of judgment; yes.

Now I might point out to the gentleman from Ohio that the sum which we have discussed does not represent the entire sum that the agency is to receive, because in addition it is to receive something under reverse lend-lease. Just what that will amount to, I do not know. But it appears from the record that one item alone under reverse lend-lease, namely, power in north Africa, will amount to the equivalent of about \$1,800,000, in a calendar year.

In addition to that, it appears that the agency has had the use of Army signal corps communication facilities during the past year, and presumably will during the coming year, to the tune of about two and one-half million dollars. There are other items like printing, which is done in Great Britain under reverse lend-lease, which will increase the overall sum available.

It is a tremendous sum. And the field which the agency is attempting to cover is also a tremendous one. How much is of value, how much is valueless, and even harmful as is charged, I think it is almost impossible to determine with any real accuracy, in the absence of a thorough-going investigation.

The record indicates among other things that O. W. I. sends out 2,850 broadcasts a week. That is said to be more than double the broadcasts sent out by N. B. C. and C. B. S. together. It indicates control of all short-wave frequencies in the country. It indicates 100,000 words a day over cable and wire services. It indicates 2,300 still pictures a day sent out to various points. It indicates 8 to 10 radio photograph programs a day. It indicates 288 motion-picture reels in a single year. It indicates 12,000 cartoon mats and proofs per week as well as miscellaneous features, pamphlets and other publications to an unlimited number. The news sent out seems to comprise news of every conceivable description, including religion, sports, music, entertainment, and almost anything else that can be thought of.



It has been stated that in the month of February the O. W. I. sent some 808,000 words to Algiers; 155,000 to Beirut; 32,000 to Bagdad; 61,000 to Berne; 81,000 to Brazzaville; 109,000 to Chungking; 170,000 to Istanbul; 56,000 to Kabul; 83,000 to Sydney and so on.

Everyone, Mr. Chairman, appreciates the value of psychological warfare on the fighting fronts—no one would deny a dollar necessary for that purpose.

It is charged, however, and constantly charged that some of the work of the O. W. I. has been harmful, that much of the work has been valueless and wasteful and that the agency's personnel is not in the condition it should be.

For my part I am frank to confess that I think there is ample evidence to justify grave misgivings on all three counts.

Several Senators who made a tour of the world during the last year on their return were very critical of the work of this agency, of the work done in Allied and neutral countries, particularly in Australia and India. Others of standing returning from Europe have a similar point of view. It has been stated to me and stated repeatedly by persons of such authority that I cannot brush aside the statements, that much of the broadcasting of O. W. I. to friendly countries has been sheer communism and to that extent harmful rather than helpful to the war effort. The foreign language press of this country has been repeatedly critical of the work of the O. W. I. Serious criticism has been directed at the Hungarian desk, the Italian desk, the Polish desk, and the Yugoslav desk.

We all know that it was reported authoritatively last autumn that the American Federation of Labor and the Committee for Industrial Organizations had liquidated their labor short wave bureau set-up to aid O. W. I. after protesting for months to Mr. Davis that the O. W. I. overseas branch was regularly broadcasting communistic propaganda; that they liquidated it because they could find no basis for agreement for the elimination of the O. W. I. communistic influence. They objected particularly, as you will recall, to the man who was then head of the bureau, retained because of the insistence of Mr. Barnes, despite his alleged communistic affiliations. It is interesting to note that the World Telegram of December 10, last, reported the resignation of this gentleman, stating that he had joined—

A pro-Communist labor news service which became in recent years a haven for Communist and fellow-traveler newspaper men.

These are serious charges, Mr. Chairman.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TABER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. You will find on page 149 of the hearings a list of publications, booklets, and pamphlets published between July 1, 1943, and March 31, 1944.

Included is the Alphabet Primer of Friendship, of which I have a copy in

my hand. If time permitted I should like to discuss it in detail. Included also is Children of the U. S. A., a large pamphlet of 56 pages full of pictures probably 8 by 10 inches in size. Here is a copy. Included also is another called Small Town in U. S. A., of about the same dimensions and covering some 36 pages. Here again is a copy.

You will also find included the famous John's Book that has been produced on this floor before this. You will find also A Pocket Calendar, The Women of the U. S. A., Photo Review, Music in the U. S. A., and The Rumor Monger, a cartoon booklet.

I confess it is difficult for me to see how these publications contribute to the war effort. Are they worth the money expended in their preparation, Mr. Chairman?

On page 162 of the hearings you will find a list of the motion pictures completed or in process of completion. Here are some of them: Cowboy, The Town, City Harvest, Pipeline, Yellow Springs, Valley of the Tennessee, Steel Town, Playing Fields of America, New England, The American Child, Iowa University, Native American Music.

Again, Mr. Chairman, I question whether these pictures contribute to the war effort and whether they justify the costs of production.

I understand that the O. W. I. among other things has dramatized a mail-order catalog.

A recent press publication written by one who had been through some of the clip sheets prepared for distribution abroad, reports that among other articles found were Radium Lost and Found, Atoms at Work, Singing Lady Who Likes People, Tin Pan Alley Always in Tune, and Bogey Andrews, Grand Old Man of the Stage.

Under leave to extend my remarks, I include the newspaper article at this point in the RECORD:

O. W. I. HAS SPENT \$66,000,000 AND ASKS 64 MILLION FOR 1945

(By Charles T. Lucey)

NEW YORK, April 14.—Government press agency, a flossy phenomenon of the New Deal which has cost untold millions, is in its greatest flowering in 1944. Never before was a war press-agency like this one. It has cost \$66,000,000 so far, and \$64,000,000 is being sought for next year.

This is just the Office of War Information. The other war agencies are using the bellows, too. The Navy, for example, has 161 officers, enlisted men, and civilians in its Washington public-relations office. George Creel had about three doing the Navy's press job in the First World War.

You might think the avalanche of words going overseas was significant stuff with a strategic relationship to fighting the war. But a check of some O. W. I. material shows plenty of trivia which would be interred far back with the eczema remedy advertisements in any newspaper.

The O. W. I. dotes on birthdays, for example. Is it the birthday anniversary of Dedrich Smetana, Czech composer? Good. That will make a fine broadcast to Czechoslovakia. Einstein? Good again, and O. W. I. goes to Princeton or somewhere to get proper statements about it, aimed at showing how genius, stifled under dictatorship, thrives in a democracy. Carl Schurz? More of the same.

#### ALWAYS FINDS WORDS

Or it may be the anniversary of an outstanding Swede or Turk or Egyptian. The O. W. I. can always drum up statements to show how conscious is the United States of the various foreign cultures.

In the O. W. I. shop here there's a press review desk which combs United States publications to produce clip-sheets for distribution abroad. Look at one of these in the field of science and you find handled such subjects as Radium—Lost and Found, Atoms at Work, Aluminum News Letter, and The All-American Highway.

In an arts-and-letters clip-sheet you unearth such stirring headings as "Singing Lady Who Likes People," "Tin Pan Alley Always in Tune," or "Bogey Andrews, Grand Old Man of Stage."

How does it help win the war? Well, when people in foreign lands read about the Singing Lady and Tin Pan Alley and hundreds of other subjects dished out to just about anyone who will take them—at United States taxpayer expense, of course—the idea is that they're supposed to understand and like us better. A bit indirect, you may think, but it's part of the O. W. I.'s propaganda thinking.

Then there's the bale of material, 100,000 words daily, that is piped around the world by cable and wireless. Here are samples of the material dispatched to London:

A business-paper article reporting that gasoline and water do mix profitably in airplane engines, 1,200 words.

List of anniversaries (Madison's birthday, West Point established, United States troops arrival in Australia, General Stillwell named Chinese chief, Philippine independence bill signed).

High vegetable prices and lower beet-sugar production, about 1,200 words; Representative EATON (Republican, New Jersey) praises Lend-Lease, 250 words; woman war workers honored, about 1,000 words; lumber situation, 150 or so words; Maltese residents present scroll to Mr. Roosevelt; new military demands for anhydride, 400 words; congressional committee meeting, 150 words; machine-tool shipments, 250 words.

#### MUCH HITS WASTEBASKET

That's a fair sample to show the exciting nature of some of the O. W. I. output. It's not too surprising that O. W. I. men acknowledge that much of the output has gone directly into the wastebaskets in foreign bureaus.

Similarly with O. W. I. material shortwaved overseas—nobody will ever know how much of it is utterly wasted, but the percentage must be high. Due to atmospheric conditions, the short wave is perhaps only 60 per cent effective, and even when it gets through it is questionable how much is heard. In Germany and occupied Europe the Gestapo tries to bar radio listening, of course.

O. W. I. says it has evidence that short-wave broadcasts to Germany are being heard there, but for reasons of security it can't tell just how it knows. A recent magazine article out of Stockholm, though, tells of a lack of short-wave listening in Berlin—and the bulk of O. W. I. radio output to Germany is by short wave. Of 1,125 short-wave programs monthly in German, only 217 are relayed by medium wave—more likely to be heard—from Mediterranean points, and 71 medium-wave broadcasts monthly go into Germany from England.

O. W. I. has a carefully designed propaganda line to Germany, but people inside the agency concede it is weakened by lack of a definite statement on what the United States expects to get out of the war—a creed comparable to the 14 points President Wilson gave George Creel.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?



Mr. WIGGLESWORTH. I yield briefly.

Mr. MICHENER. I do not quite understand what is done with all these publications that are printed by the Government at the taxpayers' expense.

Mr. WIGGLESWORTH. I understand they are sent overseas with a view to expediting the successful prosecution of the war.

Mr. MICHENER. The gentleman heard the testimony at the hearings. Did he inquire what Tin Pan Alley had to do with winning the war?

Mr. WIGGLESWORTH. No; we did not have a chance to go into that detail. In a list of publications which I have received, partly as the result of a request which I made for the Record, it came to light.

Mr. MICHENER. I commend the gentleman for at least getting the names of so many of these publications. I hope at the time the next appropriation bill is considered he will be able to tell the House just what the Government does with these various publications.

Mr. WIGGLESWORTH. Mr. Chairman, I realize that this represents only a small portion of the work of the agency. It seems to me to be important, however, as indicative of the type of work that is being done. It indicates to my mind that work which has been undertaken had much better not have been undertaken, the money expended being saved for the taxpayers of the country.

I do not want to take too much time but in passing I call attention to the work of the so-called Surveys Division of the Domestic Branch of O. W. I. You will find it at pages 304 to 308 of the hearings. From my point of view the work reported is absolutely without justification. Some of it is ridiculous and a sheer waste of money. In one instance the survey found among other things that women with three children turned in less tin cans in a tin-can drive than do women with two children. I may say that this work has been eliminated by the committee.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. TABER. Mr. Chairman, I yield the gentleman from Massachusetts 5 additional minutes.

Mr. WIGGLESWORTH. The record indicates the continued maintenance of six libraries and an unlimited number of lecturers and incidentally that there has been no reduction in personnel in any of the other national information services of the Government.

Now, just a word as to the personnel of this agency.

There have been many changes made since O. W. I. was before the Congress previously, some of them in major positions. Mr. Barnes has resigned, Mr. Johnson has resigned, Mr. Warburg has resigned, Mr. Allen Cranston has left and joined the Army.

There is evidence also of some progress in eliminating personnel of questionable loyalty or capacity. Forty-two persons have been eliminated since January 1, 1943, at the instigation of the Civil Service Commission or the O. W. I. secu-

rity committee. I have a list of those 42 people. In my judgment the elimination of some of them was long overdue.

The records indicate, however, that there are still 533 aliens on the rolls of this agency here in this country as compared with 417 a year ago; and that there are 1,089 people on the rolls whose backgrounds have not been as yet investigated.

The work of the Civil Service Commission in this connection seems to be painfully slow and in some cases, in my judgment, fairly open to question.

One year ago I gave to the O. W. I. a list of 45 names who from information I had received seemed to deserve investigation. Fifteen of those 45 have been eliminated from the rolls of the agency. There are still 8, however, in respect to which it is reported that the investigation has not as yet been completed. A year ago their names were brought to the attention of the agency, still they have not been investigated, this in spite of the fact that 1 or 2 of them have allegedly notorious backgrounds.

Frankly, I think that the committee appointed to investigate the Civil Service Commission should call for the files not only of those whose investigation has not been completed but also some of those whose investigation has been completed and who have been given clearance.

The list of personnel still includes many whose backgrounds have been questioned. A supplementary list was presented to the agency this year. The report indicates that one-third of those on the list have not yet been investigated.

Surely the O. W. I. is one of the last places for persons of questionable loyalty to this Government.

Mr. Chairman, I am going along with this item, as already indicated, because of my appreciation of the importance of psychological warfare on the fighting fronts and because of the impending invasion.

In my opinion, it is impossible to pass on the charges to which I have referred with certainty within the scope of appropriation hearings. They can only be dealt with fully, in my judgment, by a thoroughgoing investigation. An investigation resolution has been pending before this House for a considerable period of time. In my opinion it should long since have been adopted. Only in this manner can we ascertain exactly what has been sent out over the radio, exactly what has been sent out in various publications, exactly what the condition of the personnel rolls of the agency is.

#### NATIONAL WAR LABOR BOARD

Mr. Chairman, I want to conclude with a brief word as to the National War Labor Board. The request in this instance was for \$15,596,000, as compared with \$14,437,300 in the current fiscal year—\$15,000,000 is recommended by the committee.

The great complaint which comes to me, and I am sure it comes to many of us in reference to the War Labor Board, is complaint at delay, complaint at procrastination, complaint at duplication of effort.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I yield to the gentleman 2 additional minutes.

Mr. WIGGLESWORTH. Mr. Chairman, the agency reports that its wage-adjustment cases should be handled in 5 weeks, that its dispute cases should be handled in 5 months. This is certainly not in accord with my experience and I am sure it is not in accord with the experience of many of us.

Case after case has arisen in respect to which there has been interminable delay. Strikes have resulted not so much against management as against the War Labor Board itself because of the impossibility of obtaining a decision. I know of one dispute today which has lasted for over 10 months resulting only recently in a strike. I know of another which has been pending for some 14 months.

I hold in my hand an article quoting a leading labor leader of long standing, Mr. Robert Watt. The article appeared in the Washington News under date of December 31, 1943. It is entitled "Utter Confusion Rules United States Handling Labor Disputes."

Let me read it to you. I quote:  
"UTTER CONFUSION" RULES UNITED STATES HANDLING OF LABOR DISPUTES

(By Fred W. Perkins)

"Utter confusion" in Government handling of labor disputes was charged today by Robert Watt, an American Federation of Labor representative on the War Labor Board since its creation 2 years ago, and before that a member of its predecessor, the National Defense Mediation Board.

Mr. Watt, just back from a London meeting of the governing body of the International Labor Organization, of which he is the American worker member, declared that conditions in the same field are much better in Great Britain—because, he said, the official agencies dealing with labor problems there are "integrated," in contrast with "duplication, scattered authority, uncertainty and unbelievable delays" in this country.

"The weakest link in our whole war set-up," he asserted, "is in the Government agencies dealing with labor, directed in many instances by persons of good intentions and abilities in other lines, but with no experience in labor problems."

"The confusion is undoubtedly a substantial factor in causing dissatisfaction, unrest, and occasional strikes or lock-outs."

Mr. Watt's views were said to represent a substantial portion of sentiment in organized labor.

#### GOT PROMISE

"When labor gave its no-strike pledge," he said, "it did so on the promise of a tripartite tribunal for settlement of grievances and disputes. The War Labor Board was accordingly established. When the 'hold the line' policy was established to curb inflation, the W. L. B. was made responsible for controlling wages. But in neither field has the board been given full authority."

"A reasonably satisfactory handling of disputes could be expected if employers would deal in good faith with labor unions. But the employer in too many cases employs a labor expert who considers his job that of outmaneuvering the union. Delays and technicalities become his stock in trade too often."

"A union seeking contractual relations usually has to deal with the exhausting, slow, legalistic, business-as-usual routine of the National Labor Relations Board. Then when



bargaining is attempted the union frequently with the uninformed labor relations experts of the Army, Navy, Maritime Commission, etc.

#### CONCILIATOR NEXT

"About the time when patience is exhausted, the United States Conciliation Service is called in. The conciliator can settle the cases only by argument and persuasion, and he does settle a lot of them that way.

"After conciliation more time is used in certification of the dispute by the Secretary of Labor to the War Labor Board.

"If the order or decision is finally established by the War Labor Board, the case is still faced by another time-consuming obstacle if the wage issue involves any possible petition of the employer to the Office of Price Administration for price relief.

"No matter how many months have been used, nor how many earnest officials, representing the public, management, and labor, have wrestled with the case to reach an equitable judgment, the case is still subject to veto or revision by the one-man boss of wage stabilization whose authority closely resembles the systems we are fighting against. Despite all the democratic processes that have been used the decision is still subject to the dictum of one man.

#### CLASSIC EXAMPLE

"The case of the nonoperating railroad unions with which the War Labor Board had nothing to do, but which during more than a year went through all the processes provided for such matters by the Railway Labor Act, was a classic example of such an unfortunate and undemocratic finale."

The "one-man boss" referred to by Mr. Watt is Fred M. Vinson, Director of Economic Stabilization.

"If the country wants to reduce unrest and labor disputes," Mr. Watt recommended, "it ought to set up a clear, simple, straightforward, tripartite labor-relations agency working under one set of rules administered by one policy-making board."

Mr. Chairman, I urge all those desiring prompt and fair adjustment of labor disputes to consider with care the views attributed to Mr. Watt.

I reserve, Mr. Chairman, such further comments as I may have to make for discussion of the bill under the 5-minute rule.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. BRADLEY].

(Mr. BRADLEY of Michigan asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. BRADLEY of Michigan. Mr. Chairman, I have great regard for much that has been accomplished and is being accomplished by the War Shipping Administration and by the Maritime Commission. They have turned out a great many ships in this emergency and undoubtedly in turning them out at such a rapid rate they have at times spent a lot more money than would normally be expended on the same construction under different circumstances; however, in my humble opinion, based on such knowledge as I may have picked up from 18 years' experience as a purchasing agent for a large corporation the Maritime Commission purchasing department is not above reproach in any sense of the word.

A little while ago they called for bids on a quantity of small motors for 100 ships now under construction known as the C-1-M-A V-1 vessels. A gentleman

came into my office who sought to bid on those motors. Because of low overhead, favorable labor conditions, and favorable wage rates in his concern, he thought that he could bid a lower price for those motors than some of his competitors. So he submitted his bid to the Maritime Commission. At the same time he was satisfied that because of the splendid reputation that his company had for its products there was no reason why their bids should not be acceptable as to quality. He was certainly able to meet the delivery dates required by the Maritime Commission.

This man was notified, however, that his bid would be thrown out because of the fact his quality was not suitable and that he did not have the proper facilities for meeting the delivery schedules and so forth. He was denied the opportunity to personally appeal his case to the purchasing department of the Maritime Commission and in my absence from the city on April 6 during these negotiations my secretary took him over to the gentleman from New York [Mr. O'BRIEN], who went right to the top of the Maritime Commission, to Admiral Land himself, and insisted that this man be given an opportunity to state his case. That interview was then given him.

The gentleman in question in the Commission who had made the statement that his product was not satisfactory admitted, of course, having made the statement, and immediately this gentleman suggested that the two of them make a trip to his factory and inspect the factory which, incidentally, happens to be in my district. This inspection trip was made immediately, and the two gentlemen spent all day, April 8, inspecting that factory.

On that Saturday afternoon, following the inspection, and in the presence of

this salesman, this man from the Production Survey Division Office of the Maritime Commission called his chief here in Washington on long distance telephone and gave that company a clean bill of health, and stated that the Commission would make no mistake whatsoever in awarding the business to that firm.

Furthermore, on the following Monday, while they were looking over the source of the controls that this company had tied into their bid, he again contacted his superiors here in Washington and again repeated the same statement. He told these gentlemen in the purchasing department and in the Production Survey Division that he was amazed at the plant this firm had; he was amazed at their set-up and their ability to perform. He pointed out that there were a good many people in the organization above the draft age; that there was no problem of a potential labor shortage; that there was no probability of labor difficulty, owing to the fact that many of these men owned their own homes and they were satisfied with conditions of employment; that many of them had been there ever since the plant started production in 1917.

So this firm was given an opportunity to bid. They submitted their bids and they were considered. But even after all that I was told, on or about May 1, that there was still the probability of their being frozen out of any of this business. However, they have since received approximately a quarter of a million dollars worth of this business. I have here a complete break-down of the bids which I received from Admiral Vickery's office on this particular series of inquiry. Under permission given to me in the House yesterday, I shall include this break-down in my extension of remarks:

*Motors and controls for C1-M-AV1 vessels, U. S. Maritime Commission  
(100 shipsets—with spares)*

Inquiry No.	Required	Purchase price	Low bid	Next low bid	Saved	Lost
2-646.....	2-10 horsepower.....	\$135,025	\$135,025	\$178,100	\$43,075	-----
2-646-A.....	2-7½ horsepower.....					
2-647.....	2-10 horsepower.....					
2-647.....	1-15 horsepower.....	132,925	132,925	159,350	26,425	-----
2-647.....	2-25 horsepower.....	127,135	103,500	127,100	-----	\$23,635
2-735.....	2-7½ horsepower.....	75,300	75,300	89,300	14,000	-----
2-738.....	2-15 horsepower.....	117,335	110,770	123,900	6,565	-----
2-741.....	1-15 horsepower.....	109,000	77,600	109,000	-----	31,400
2-753.....	2-9.4 horsepower.....	112,075	92,115	112,000	-----	19,960
2-736.....	1-7½ horsepower.....	42,863	37,000	42,863	-----	5,863
2-755.....	2-10 horsepower.....	78,925	77,985	78,850	-----	940
		930,583	842,220	1,020,463 842,220	180,065	88,363
Total possible saving.....				178,243	-----	-----

<sup>1</sup> Actually saved.

The point I want to make is this: The total purchase price of the motors and controls as finally awarded in this series amounted to \$930,583. If the Maritime Commission had accepted the low bid in each of these several inquiries, that series of orders could have been purchased for \$842,220, but if they had thrown my constituent completely out of the picture, and refused to accept or give him any consideration whatsoever, it would have cost the taxpayers of this country \$1,020,-

463. In other words, by their arbitrary practices in the Maritime Commission purchasing department it would have cost the taxpayers of this country an overcharge of \$178,243 on a million-dollar purchase, which is about 18 percent.

I wonder just how much further such practices have spread all through the purchasing department in the Maritime Commission. Since I have gone into this investigation I have talked to men who



have sought to deal with the Maritime Commission purchasing department in other lines, and they find that that is their general practice. I have told Admiral Vickery this: It is about time that the Maritime Commission gets to work and checks into their own purchasing department, and if it is as inefficient, extravagant, and arrogant and arbitrary as it has been pictured to me, it is about time that they clean house and get some good buyers in there. And by the way, do not think for one moment that company has not been severely criticized—or chastised—because they had the effrontery to appeal to their Congressman as their last hope, when they disliked being frozen out of business which they wanted and on which I have shown they could save the overburdened taxpayers of this country almost 20 percent.

Mr. Chairman, what I want to know, and every other Member of this House wants to know, is when has it become a crime in this country for honest, upstanding businessmen to come to their Congressman for redress when autocratic bureaucrats refuse to give them a fair opportunity to present their case and to compete honestly and fairly and openly in their quest for Government business?

I fully appreciate that any time a purchasing agent is operating under emergency conditions that he may have to sacrifice price, and even at times sacrifice quality, in order to secure the deliveries required to keep an over-all production line moving, and I have faced that issue too often myself during my 18 years of experience. However, there is never any justification for freezing any honest, reputable bidder out of the picture. Any legitimate bidder is entitled to the utmost courteous consideration by Government purchasing agents at all times, because let them remember once and for all that they are just as much servants of the people as are we Members of Congress. Any time they forget that, they are no longer worthy to draw their pay from Uncle Sam. And let me serve notice right now, Mr. Chairman, that if I hear of any more complaints of badgering this company by the purchasing department of the Maritime Commission because they appealed to me in this instance, you will hear plenty more about it on the floor of this House.

Now, Mr. Chairman, in explanation of the reasons for not always purchasing from the lowest bidder, and especially as illustrated by this case in question, Admiral Vickery sent me a letter dated May 10 which was delivered to me by special messenger on May 18 at 1 p. m. Seemingly it takes a long time to get communications across the city of Washington by special messenger. I want to quote from that letter in part as follows:

Reference is made to your letter of May 3, 1944, in regard to the subject inquiries. Attached are price tabulation sheets covering the motor and control bids received from all the manufacturers quoting on this equipment. In the awarding of these contracts, consideration was based on the following:

1. As the normal amount of time required for plan approval is from 6 to 8 weeks, and the time element always plays an important part, every consideration was given to the manufacturers who had prior plan approval, and are in production on this equipment.

In most instances these vendors are in a position to offer the most attractive delivery schedule.

2. Where bids were submitted to the design agent for analysis the technical analysis sheets received on these inquiries are carefully checked, and it is the endeavor wherever possible to follow the design agent's recommendations.

3. It is the policy of the Procurement Division to check the facilities of the various manufacturers with the view of not overloading their production capacity, and thus it is often necessary to make award to other than the low bidder.

4. It is also our policy not to tax the capacity of a concern not having had previous marine experience inasmuch as it is the endeavor of the United States Maritime Commission to produce ships with the least possible delay.

Each inquiry was analyzed on its own merit and we list below a complete summary of the awards that have been made on the subject inquiries.

Now, Mr. Chairman, I am frank to say that I very plainly told Admiral Vickery over the phone that, in my humble opinion, the foregoing explanation, as applied to this particular transaction, could be well dubbed succinctly as nothing more than eyewash. These motors, Mr. Chairman, in the sizes covered by these inquiries, regardless of the manufacture, are standard motors, all of them built to N. E. M. A. standards as to motor, frame size, base size, and so forth. Each manufacturer's equipment is equally interchangeable with the others. True, some manufacturer's quality is better than others insofar as serviceability and ruggedness is concerned; but, as I have previously stated, the Maritime Commission's own men, who had been critical in the first instance, gave this company a clean bill of health.

In my 18 years' experience as a purchasing agent—let me point out that was for a steamship-operating concern, and during which time I was connected with the building of six ships of entirely different design and of a far more intricate design, being Great Lakes self-unloaders, than are these vessels in question—I have had plenty of experience with the so-called design agents and their recommendations. That, too, is a lot of eyewash to cover up a waste of the taxpayers' money.

I was particularly interested in point No. 4, advanced by Admiral Vickery, intimating that this concern had not had previous marine experience. As a matter of fact, this gave me a tremendous kick because of all the hullabaloo that has been raised about the success of Henry Kaiser and the Bechtel boys, and all these other famous dam builders who have been doing an admittedly good job turning out merchant ships. Since when has the Maritime Commission now decided that reputable manufacturers in other lines are incapable of finding their niche in the maritime program. However, as a matter of fact, this concern in my district has had plenty of marine experience, because they furnished a great many motors heretofore to the United States Navy and have been renegotiated by the Navy during the past year. In fact, I referred to them and their experience in a broadcast which I

made on April 9 last and which appeared in the Appendix of the RECORD under date of April 13, from which I quote, as follows:

I have a letter in my files from a relatively small but very capable manufacturer in my district, who last year did a half million dollars' worth of Government business. He showed a paper profit of roughly \$145,000, of which taxes ate up \$115,000. He set aside as a reserve for post-war adjustments \$11,000, leaving him a net profit of \$29,000. Now, this is not unreasonable bookkeeping, but along comes Mr. Renegotiation, and he takes \$10,000 in addition to the taxes of \$115,000, leaving the manufacturer a net profit for distribution among his stockholders of \$20,000, and a reserve for post-war adjustments of but \$4,000.

And remember this: No provision remains for the absorption of any losses. Government takes away the profits, but Government is never renegotiated to make good on any losses. That is simply the manufacturer's tough luck.

So here we have another case, Mr. Chairman, where an agency of this Government seeks not to be the servant of the people but the master of the people, and seeks not only not to permit a reputable bidder to have an opportunity to secure some Government business, but on the other hand when he appeals to his Congressman, he is severely reprimanded for going out of bounds by these arrogant, autocratic bureaucrats. Wake up, America, and bring this folly to an end.

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. TARVER].

[Mr. TARVER asked, and was given permission to revise and extend his remarks in the RECORD.]

Mr. TARVER. Mr. Chairman, I shall at the proper time submit an amendment to the pending bill to strike therefrom the proposed appropriation for the Fair Employment Practice Committee. I submitted an amendment in the full Committee on Appropriations where it was rejected on a roll-call vote of 16 to 11, with 15 members of the committee not present.

It has not been my practice during more than 17 years of service in Congress to unnecessarily raise or discuss questions which involve race problems and with regard to which no remedial action could reasonably be anticipated by legislative means or benefit to the public welfare brought about by lengthy discussion in this forum. I raise this question now with regard to the activities of the Fair Employment Practice Committee because I believe it to be one with regard to which remedial action by Congress may be reasonably expected and because I feel that if such action is taken it will contribute to the cause of unity in the war effort and eliminate a source of disunity which has been, and will continue to be, unless eliminated, a fruitful source of dissatisfaction to millions of American men and women who are laboring in war activities and to whose morale the activities of the Fair Employment Practice Committee have not only not been helpful but have been exceedingly destructive.



There is no reason why I should detail the various items of a great volume of evidence which support this conclusion. Many of these items are within the knowledge of the membership of this House. I have not personally discussed them with any Member of the House, whether Democrat or Republican, but that he deplored their existence and agreed that unity in the war effort would be best served by the elimination of the possibility of their recurrence.

I shall make reference, however, to some of the most outstanding of these items of evidence. The facts with regard to some of them have been thoroughly developed in hearings before the Smith committee. I refer particularly to the evidence relating to the issuance of certain directives against 21 different railroads, one of which was the Southern Railway Co., and against various railway labor organizations, the purpose of which was to require these railroads and these railroad brotherhoods to eliminate certain employment practices which have been followed for many years and which have been found satisfactory to the railroads and to their employees. Twenty-four percent of all of the employees of the Southern Railway Co. are Negroes, yet until the F. E. P. C. undertook its efforts to stir up racial trouble among its employees there had been no complaint from the great body of these Negro employees as to any unfair discrimination in employment as between Negroes and whites. The effect of the F. E. P. C.'s efforts, therefore, was to promote disunity where none had existed and instead of contributing to the unity of the war effort to bring about dissatisfaction and threats of strikes with the possibility of serious interference with transportation essential to the successful prosecution of the war effort.

This statement is applicable not only to the Southern Railway Co. and its employees, but to all of the railroads and their employees in the South and Southeast against whom the directives were filed. It is a significant circumstance that, while there was evidence of alleged discrimination against the cited railroads in the Northeast, the Pennsylvania, the New York Central, the Baltimore & Ohio, and the Baltimore & Ohio Chicago Terminal, of their refusal to employ Negroes in certain categories of work, and although findings of fact and directives were issued by the F. E. P. C. against those railroads finding them guilty of alleged discrimination against Negroes contrary to Executive Order No. 9346, and "directing" them to cease such discrimination and to employ Negroes in all categories of employment without discrimination, Chairman Ross and the F. E. P. C. have soft-pedaled the actions taken against those railroads in the Northeast and have made a deliberate effort to sectionalize the matter and to publicize only findings and directives against railroads in the South in an apparent attempt to capitalize on some sentiment in the North and West against the South and its attitude toward the solution of difficult racial problems. The action of the F. E. P. C. in these railroad cases, therefore, was patently not an at-

tempt to promote national unity, but to bring pressure to bear on the South to change its attitude in the control of matters affecting the relationships of the races from that attitude which has always been satisfactory to the vast majority of both races in the South and relates to one of the basic problems of our southern civilization and concerning which no issue arises until that issue is raised by pettifogging and troublemaking busybodies in other sections of our country who know nothing about our problems, care nothing about them, and whose sole purpose is to oppress and, if possible, to destroy the progress of the southern people. Among this type of troublemakers, the F. E. P. C. is entitled to high rank.

Its capacity for making trouble, however, has by no means been confined entirely to the South. Members of the House are no doubt familiar with the case of the Philadelphia Rapid Transit Co. and the employees' union of that company who were directed by the F. E. P. C. to provide for the employment of colored men as motormen, conductors, operators, and cashiers and thus to violate a contract of long standing between the company and the union which required the continuance of practices of employment which had been followed for many years and which had been found satisfactory, not only to the white employees, but to the colored employees of the company.

Thus, a fruitful source of trouble was explored in the Philadelphia case involving, as I recall, approximately 10,000 employees engaged in transportation work vital to the war effort, and difficulties were brought about where no difficulties had theretofore existed. In this connection I may say that I have been unable to find evidence of a single case in which these efforts of the F. E. P. C. have contributed to unity in the war effort. All of its efforts with which I am familiar have contributed to disunity.

There is also the case brought to the attention of the Smith committee by the Seafarers International Union of North America. I shall insert in the RECORD in connection with my remarks a letter from the secretary-treasurer of this union to the gentleman from Virginia, Representative HOWARD W. SMITH, chairman, Special Committee to Investigate Executive Agencies, dated January 28, 1944. I shall quote from it at this point two or three paragraphs relative to the activities of two agents of R. M. O. inspired by F. E. P. C. named Vincent and Pollatsek:

Messrs. Vincent and Pollatsek are trying to compel our union to abandon a sound and tested policy which has resulted in harmonious relationships between Negro and white members over a period of many years. This policy, which is supported by the more than 2,000 Negroes in our membership, provides for a rotary hiring hall system, fair and equitable in every way, which enables whites to share ships' quarters with whites and Negroes with Negroes.

The Negro members of our union receive the same wages and voting privileges and enjoy precisely the same working conditions as our white members.

If the views of these two officials are permitted to prevail—and they have the en-

thusiastic endorsement of every Communist and sympathizer infesting the water front—in other ports throughout the country they inevitably would create a state of chaos in the maritime industry in a critical hour for our country. We would see a mass exodus of trained seamen to other jobs, we would see a flare-up of race hatreds and we would pay for all this in costly delays in the shipping of supplies and equipment to our fighting fronts.

It should be pointed out here that the R. M. O., in the Atlantic coast district is misrepresenting or concealing the facts when it recruits boys from American homes and then tries to compel them to depart abruptly from old-time family traditions to share eating and sleeping quarters on American ships with members of another race, particularly when such condition is not at all necessary and is disruptive of rather than helpful to the war effort.

There have been repeated instances where the R. M. O. office in New York has refused to send Negroes to our hiring hall in order to be dispatched to our contracted ships. This resulted in these ships sailing undermanned. On other occasions when our hiring hall was closed for the night or over Sunday, the R. M. O. deliberately dispatched Negroes to vessels with white crews, thereby arousing protests and unnecessary ill feeling.

By permission heretofore granted in the House I insert here the entire letter:

JANUARY 28, 1944.

Representative HOWARD W. SMITH,  
Chairman, Special Committee to Investigate Executive Agencies, House of Representatives, Washington, D. C.

MY DEAR MR. SMITH: I consider it an urgent obligation to direct the attention of your committee to a situation which is fast developing to a point where it may hamper the delivery of the cargoes so desperately needed by our fighting forces.

I have reference to the arbitrary, dangerous, and unrealistic interpretation being applied to the President's Executive order establishing the Fair Employment Practice Committee by a pair of starry-eyed fellow travelers heading the Atlantic coast district of the recruitment and manning organization of the War Shipping Administration.

These gentlemen, Mr. Craig S. Vincent, Atlantic coast representative of the R. M. O., and Mr. Frank Pollatsek, Chief of the R. M. O., office in New York, are insisting that the President's order is being violated in connection with the hiring of ships' crews because our union requires that white seamen shall not be forced to eat and sleep in the same quarters with Negro seamen, and vice versa. Under this arrangement, each race disrespectful of the other's rights, just as prevails in the armed forces of our country.

Messrs. Vincent and Pollatsek are trying to compel our union to abandon a sound and tested policy which has resulted in harmonious relationships between Negro and white members over a period of many years. This policy, which is supported by the more than 2,000 Negroes in our membership, provides for a rotary hiring hall system, fair and equitable in every way, which enables whites to share ships' quarters with whites and Negroes with Negroes.

There is not the slightest vestige of discrimination in the running of our union. In fact, a number of our officers are Negroes. The union lives up in every regard to our section of the President's order which calls for the elimination of discrimination with relation to hire, tenure, terms or conditions of employment or union membership because of race, creed, color, or national origin.

The Negro members of our union receive the same wages and voting privileges and enjoy precisely the same working conditions as our white members.



It is this particular section of the President's order which is being twisted and distorted by Messrs. Vincent and Pollatsek to conform to certain social reformist theories which they are seeking to experiment with at the expense of the American seaman and the war effort, and in defiance of the sober judgment of practical men who have spent the greater part of their lives in the maritime industry.

If the views of these two officials are permitted to prevail—and they have the enthusiastic endorsement of every Communist and sympathizer infesting the waterfront—in other ports throughout the country they inevitably would create a state of chaos in the maritime industry in a critical hour for our country. We would see a mass exodus of trained seamen to other jobs, we would see a flare-up of race hatreds, and we would pay for all this in costly delays in the shipping of supplies and equipment to our fighting fronts.

It should be pointed out here that the R. M. O., in the Atlantic coast district, is misrepresenting or concealing the facts when it recruits boys from American homes and then tries to compel them to depart abruptly from old-time family traditions to share eating and sleeping quarters on American ships with members of another race, particularly when such condition is not at all necessary and is disruptive of, rather than helpful to, the war effort.

The interpretation which Messrs. Vincent and Pollatsek are so zealously trying to read into the President's order is a flat violation of the statement of policy which our union signed with the War Shipping Administration on May 4, 1942. This statement of policy reaffirms article 3 of the service agreement signed between general shipping agents and the War Shipping Administration and states specifically: "If the general agent has contracts with unions and those contracts require, for example, preference of employment or use of union hiring halls, the agent would be required to procure men in accordance with the contracts."

What Messrs. Vincent and Pollatsek are trying so hard to do is to disturb our existing and harmonious policy with regard to this union's hiring-hall system in order to grind their own pet reformist ax. Apparently they have no concern over the inevitable consequences.

The views of these men also run counter to the statement of principles governing wartime policy which was signed on December 18, 1941, following negotiations by representatives of the maritime industry, the maritime unions, and the Government.

In arriving at the statement of policy it was agreed that the hiring-hall system embodied in our contracts was to be respected and not interfered with in any way. The union agreed to waive its right to strike for the duration and that pledge has been lived up to faithfully. There have been no strikes or delays on our ships since the war started.

There have been repeated instances where the R. M. O. office in New York has refused to send Negroes to our hiring hall in order to be dispatched to our contracted ships. This resulted in these ships sailing under manned. On other occasions when our hiring hall was closed for the night or over Sunday the R. M. O. deliberately dispatched Negroes to vessels with white crews, thereby arousing protests and unnecessary ill feeling.

Our understanding is that the R. M. O. was set up for the explicit purpose of supplementing the unions and the operators in the supplying of seamen personnel in order to prevent delays in sailings.

This is clearly a situation which calls for a thoroughgoing investigation by your committee in the interests of the American seamen and the maritime industry.

The taxpayers' money which is being appropriated for the running of the R. M. O.

office in New York could be agent to far more useful and constructive purpose. I am sure our Congress never intended to countenance the use of Government funds to promote theories and reforms inconsistent with American traditions and with plain ordinary common sense.

Yours very truly,

JOHN HAWK,  
Secretary-Treasurer and First Vice  
President of the Seafarers Inter-  
national Union of North America.

It is quite apparent from the statements made by this union official that in this case, as in many others, the F. E. P. C. is engaged, not in an effort to promote the war effort, but in an effort to foist certain ideas of social, not economic, equality, which have long been entertained in communistic quarters in this country, upon the white people of the country who feel a certain pride in their race, and justly so, and who, while they are willing and anxious that the Negro shall have his economic rights, are not willing, and will never submit, to his being forced upon them as a social equal and bedfellow. There are undoubtedly many white people in this country who feel they are no better than Negroes. With their appraisal of themselves I have no quarrel, but the fact remains that God Almighty when he made the races of mankind provided the white man with more powerful mental faculties than he did the people of the Negro race and endowed the Negro with certain racial traits and characteristics which will never permit him to be a satisfactory social associate of the white man.

While these facts have been controverted in the communistically prepared publication *The Races of Mankind*, which was prepared for circulation among our armed forces and which has been severely condemned by a subcommittee of the Military Affairs Committee, they cannot be successfully challenged by men and women of intelligence who are, in good faith, endeavoring to state facts.

As a further evidence of the purpose of the F. E. P. C. to stir up racial animosities, rather than to allay them, I have been advised that that organization has recently stationed in an office building in Atlanta, Ga., a Mr. Bruce Hunt, a white man, as its representative in that city who installed himself with a Negro stenographer in an office building otherwise occupied entirely by whites and insisted upon his Negro stenographer being allowed to use the rest rooms provided for white women employees in that building.

Atlanta is one of the focal points of war industry in this country and those who know the people of Atlanta and of the South cannot fail to realize that such a studied affront to southern customs and usages, not only will not contribute to the war effort but will stir up racial bitterness and hatred where no racial troubles would have otherwise existed. Other citations of the activities of F. E. P. C. that are harmful to the war effort might be continued indefinitely. We are all familiar with its insistences that employers who desire to employ white stenographers through United

States Employment offices must accept Negro stenographers if available whether they want them or not, and it is even reported that in one case in California an employer was required to reduce the number of his white Caucasian employees already employed and provide for the employment of a certain proportion of clerical employees who should be Negroes or people of another race.

I say, therefore, that F. E. P. C. is not only not contributing anything to the war effort, but is a tremendously disturbing factor. It has never been authorized by law. I am aware, of course, that the chairman of the Committee on Appropriations has insisted that it is authorized by law, but he has so far been unable to point out the specific provision of any existing statute which authorizes Congress to appropriate for it. It is in the bill under a waiver of points of order obtained 2 days before the bill was reported to the House by the Chairman of the full committee in late afternoon when few Members were on the floor, when the bill had not been reported even to the full committee; when no Member of the House excepting those serving on the subcommittee knew what was in it and at a time when no Member of the House had any reason to suspect that such a request for waiving points of order would be submitted.

The mere fact it was thought necessary to secure unanimous consent to waive points of order is sufficient evidence that it is realized that the appropriation is not authorized by law, because if authorized by law the waiving of points of order would not be necessary. The gentleman from New York [Mr. MARCANTONIO] realized this fact on yesterday because when the chairman of the full committee sought to obtain unanimous consent to undo the mischief he had accomplished by securing the waiver of points of order against the bill the gentleman from New York promptly objected. It is also to be noted that the Committee on Labor is now considering legislation to authorize appropriations to the Fair Employment Practices Committee. If appropriations are already authorized by law, such legislation would not be necessary.

Members of the House will recall that when the agricultural appropriation bill was presented to the House, it did not include any items for the school-lunch program or for the Farm Security Administration, although there are many Members of the House, including myself, who would have been glad to have had such items included. They were not included because they were not authorized by law. The Senate has placed them in the agricultural appropriation bill and the committee of conference on the bill has deferred action on these items until the House shall have an opportunity to consider the conference report on the Pace bill which it is understood will contain proposals for legislation authorizing these items. I consider that procedure entirely appropriate and I think it would be appropriate in this case, that the House should await the submission of legislation from the Labor Committee authorizing appropriations for the F. E.



P. C. and take action thereon before undertaking to make an appropriation for that activity.

I regret that in the discussion of this matter, it has been necessary to discuss frankly certain racial problems. I am a friend of the Negro race. I believe in according to the people of that race the fullest measure of economic opportunity which they are capable of using advantageously. I know that the people of the South are the best friends the Negro ever had, or ever will have, and that my views are in accord with those of the vast majority of the southern people.

I know the real enemies of the Negro are those who, falsely, pose as his friends and seek to stir up dissatisfaction in his heart and mind with conditions on account of which he would not be dissatisfied excepting for their meddling interference.

I know that F. E. P. C. is only one tentacle of a devilfish which is seeking to fasten itself today upon the structure of southern civilization. Other tentacles are represented by such things as the recent decision of the Supreme Court in the Texas primary case; the policy adopted during the war of having Negroes incorporated in, and made a part of, white military organizations, of having white men in the service in many instances subjected to the commands of Negroes; of having whites and Negroes hospitalized together at Army general hospitals. I have in mind also a policy which is being pursued here in Washington, and with which you are all familiar, of integrating the Negro and white clerical employees of departments and bureaus of the Government into one body, requiring them to eat together in departmental cafeterias, withdrawing administrative sponsorship for organization dances unless the Negroes are invited to dance with the white people, and other matters of a similar type. All of this, of course, does not spring from the F. E. P. C. The F. E. P. C. springs from the over-all source which is directing these many assaults upon the social system of the country and particularly of the South, in an effort, not to win the war, but in an effort to use the war as an excuse for bringing about integration of the races, socially and otherwise, in a manner which could not have been hoped for by the proponents of the plan under peacetime conditions. This is the lowest type of effort in which the National Government could engage. I am opposed to it, and I think a vast majority of the people of this country are opposed to it, even the intelligent Negroes of the country. I propose to do everything I can to bring about the elimination of this policy. I believe that it cannot succeed in accomplishing the catastrophic results for which its sponsors hope.

The Republican Party in the coming national campaign will appeal to the people of the South to vote against the incumbent administration and its candidate for President, whoever he may be, because of these recognized evils in policies which are being pursued by the administration. I have frequently said to the people of my district, when they have discussed these matters with me, that

while, in my judgment, their complaints against the policy of this administration in these particulars are well founded, they have no hope that the Republican Party will ever do anything for the correction of these evils, and the entire history of the Republican Party supports that statement. I wonder how many members of the Republican Party today will show by their votes that that conclusion is correct. You have criticized the bureaucracy which has grown up in Washington, the establishment of bureaus without the authority of law, the expenditure of public funds which have not contributed to the war effort, and you have here an opportunity to vote to eliminate one of these bureaus set up by Executive order and not by law, performing a disservice to the war effort, instead of a service, fostering disunity among our people and stirring up racial hatreds, and I am wondering if, in recognition of these generally accepted facts, you will stand up today and vote to strike this appropriation from the bill, thereby showing the Republican Party is willing to do something to correct these policies of which our people complain, or whether you will vote to continue this unauthorized bureau with all of the purposes which its organizations and conduct evidence? Will you be more responsive to the overwhelming cry of the white people of the South for the cutting out of this cancer on the body politic, or will you here in Committee of the Whole, where no roll-call vote can be taken, avoid a record vote by voting down this amendment which I have offered, and thus evidence greater consideration for the views of the Negro voters and voters, like the gentleman from New York [Mr. MARC-ANTONIO], in New York and Philadelphia in Pittsburgh and in Chicago, than you have for the many millions of white people in this country who, by reason of their geographical locations, have primary responsibility for dealing with the Negro problem and working out its satisfactory solution? The vote which will be taken here today will demonstrate whether the South can entertain any hope for the correction of these evils through action by the Republican Party as taken by its representatives on this floor.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I think the gentleman from Georgia has made a very excellent statement. I shall vote for his amendment to strike out the entire appropriation for the Committee on Fair Employment Practice. I think this organization has committed some violent abuses and, as the gentleman says, has rendered a disservice, and created a disunity in time of war. In addition to specific instances of meddling cited, I have in mind the instance of the Dallas News, wherein the Dallas News advertised, "Wanted: Colored man." And this organization, the Committee on Fair Employment Practice, took that up with the Dallas News and said they had no right to use the word "colored" in an advertisement, that it was discrim-

inatory as to race, and demanded that this ad should not be used. The News wanted a colored man and not a white man for a particular job, but they must not so advertise for fear of offending the colored race. An agency which has no more sense than that should be abolished.

Mr. TARVER. My attention has been called to that incident of the abuse of authority, or rather the use of authority which they do not possess under the laws of this country, by the F. E. P. C. I am heartily in accord with the views expressed by the gentleman from Texas.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. NORRELL. I want to say to the gentleman I was one of those who supported his action in the committee. I propose to vote for his amendment.

Mr. GIBSON. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. GIBSON. Is it not true under the Executive order setting up this Committee they are given authority to make their own laws and regulations irrespective of any law of the land?

Mr. TARVER. It depends on whether the gentleman means by the words "they are given authority" that they are given legal and constitutional authority or whether he means that they are given assumed authority which the person undertaking to delegate that authority to them did not possess and which he does not have the power to delegate.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. POAGE. Is it not true, even if the person who attempted to delegate that power had had the power to delegate it, and I do not think he had, that even that order itself says it is confined to war work and confined to war activities and they have assumed to have the power to interfere with every kind of activity?

Mr. TARVER. I think the gentleman's position is entirely correct.

Mr. GIBSON. Mr. Chairman, will the gentleman yield further?

Mr. TARVER. I yield.

Mr. GIBSON. The following is one of the powers granted under the order:

4. The committee shall receive and investigate complaints of discrimination. It may conduct hearings, make findings of fact, and take appropriate steps for the elimination of such discrimination.

That is one of the powers granted in the order.

Mr. TARVER. I certainly hope that the amendment which I will offer when the proper place is reached in the bill to strike out the \$500,000 which is proposed for this activity may prevail and that that amount of money may be saved to the Government and the dissatisfaction and just complaints occasioned by the activities of this organization be eliminated.

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Texas [Mr. MAHON] such time as he may desire.



Mr. MAHON. Mr. Chairman, I have listened carefully to the address of the gentleman from Georgia [Mr. TARVER] in condemnation of some of the activities of the Fair Employment Practice Committee. I shall support the gentleman's motion to strike from the bill the appropriation for this organization.

The gentleman from Texas [Mr. LUTHER A. JOHNSON] has just referred to one of the most utterly absurd and ridiculous actions which has been taken by the committee, and I want to join with the gentleman in condemnation of this action. I am referring to the efforts of the Committee on Fair Employment Practice to prevent Texas papers from carrying advertisements in their help-wanted columns for colored help, the advertisement quoted by the gentleman from Texas. If there is anything illegal, unconstitutional, unfair, or discriminatory in placing an advertisement in a newspaper for colored help, I am unable to see it. I positively refuse to vote public funds to pay the salary of any person who is so lacking in intelligence and ordinary common sense.

We are in the midst of a great war—the worst possible time to arouse race prejudice and hatred. Our enemies are seeking to create disunity among us. It is intolerable that people on the pay roll of the Government should be engaged in the same practice.

(By unanimous consent, Mr. MAHON received permission to revise and extend his remarks.)

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. WHITTEN] such time as he may desire.

Mr. WHITTEN. Mr. Chairman, I am very much in sympathy with the action of the gentleman from Georgia [Mr. TARVER]. I was for his motion before the committee, and certainly expect to do everything I can and vote with him in his efforts here.

Many things have been done by departments of this Government which in my opinion have not aided the war effort and which have in fact done a great deal of damage to the Nation. Of all acts done by such departments none has done more to incite racial disturbance, unrest, and riots than has the so-called Fair Employment Practice Committee. Set up by the executive department, financed by its emergency funds, it is my opinion that no legislative authority exists for its continuance.

Mr. Chairman, I was opposed to any appropriation for this group of agitators before the committee. I am opposed to it now and expect to support the motion of the gentleman from Georgia [Mr. TARVER] to strike the appropriation from the bill.

Mr. Chairman, the real American people of this Nation are sick and tired of all national political parties catering to, and running after the racial and political minorities of the country in order to secure their vote. Sometimes it looks like the Democratic Party and the Republican Party will do anything to secure the vote of the Negro, the support of the C. I. O., and other organized minorities in the national election. Both

parties seem willing to ignore the rights of the solid white Americans. They are letting the tail wag the dog.

No one objects to fair treatment. However, it is not fair treatment which this outfit, F. E. P. C., desires. Look to the record. The gentleman from Georgia [Mr. GIBSON] recently put some interesting figures in the record on this so-called Fair Employment Practice Committee, which claims one of its purposes is to see that members of the various races are employed in the same proportion they have in the Nation. Mr. Gibson's figures show that, while there are 12 or 13 times as many white people in this Nation as there are Negro, of the 106 persons employed in the F. E. P. C. 61 are Negro and 45 are white. The 45 white employees draw \$143,600 per annum and the 61 Negroes draw \$173,560 per annum. The employees of this Bureau are the highest paid of any bureau or department of the Federal Government. In the Washington office there are 13 white employees and 35 Negro employees. While the chairman is white, his associate examiner is Negro. The office of the chairman is staffed by two other whites and three Negroes. The administrative office is staffed by 11 Negroes and no whites. The operations section has 7 Negroes and 6 whites. The review and analysis section has 7 Negroes and 3 whites. It is apparent this group was not set up to secure fair employment practices. The entire committee is Negro dominated with a sprinkling of white employees to attempt to claim fairness.

Mr. Chairman, in my opinion both parties are using this committee and most of those supporting it are doing so for political purposes. If this were not so the make-up of this committee would not be predominately Negro.

There is much evidence that I am correct in my belief. Men who do the hiring in various departments tell me that they can turn down an average white American because of failure to meet qualifications and nothing is said about it. If, however, a Negro is turned down then that is termed racial discrimination.

A confession of the length political parties go in courting the Negro vote was made in the Senate recently by a Senator from Missouri, a man prominently mentioned as a candidate for Vice President on the Democratic ticket. This Senator, in paying tribute to a Negro by the name of Tompkins, recorder of deeds, said:

Mr. President, the Negroes of the United States look to the person holding the office of recorder of deeds (Tompkins) for interpretations of political questions.

We have frequent occasion to consult and advise with him on matters concerning our colored constituency back home.

The Congress recognized the value of his advice on political matters when it specifically excluded him from the prohibitions contained in the Hatch Act—passed some years ago and which prevents Federal office holders from taking part in politics. He, as recorder of deeds, is the only Negro Government official who is permitted under the Hatch Act to participate in political campaigns.

Mr. Chairman, the office of recorder of deeds, according to this Senator, has

adorned the walls of the building, a Federal building, with seven murals showing the contributions Negroes have made but not a single one showing any contribution to the Nation by a white man.

No, Mr. Chairman, it is not fair treatment for the Negro—the group who exempted Tompkins from the Hatch Act; it is not to prevent unfair discrimination against Negroes that this so-called Fair Employees Practice Committee exercises itself. What they wanted, what they have done and are doing is to discriminate in favor of the Negro in an effort to secure the votes of the Negroes that they may win the national elections.

Not only is the recorder of deeds exempted from the operation of the Hatch Act but his employees are exempted from the Civil Service. He may employ a Negro from Chicago, New York, or St. Louis without regard to his qualifications if it will help the party in power.

This same practice was followed by the Republican Party when it was in power. This desire and effort on the part of both parties to cater to the racial and political minorities in order to win national elections is doing more to undermine our Nation than anything I know.

How can a Congress, sworn to uphold the Constitution of Washington and Jefferson say the Government or any employer shall hire so many Negroes, so many Chinese, so many Indians, and so on? Mr. Speaker, that is strictly un-American. Such practices look to the destruction of our whole system. It follows the Communists' lead. Both parties are permitting the tail to wag the dog.

Through the years we have gotten along with the Negro in the South by having segregation. We expect to continue that practice because we know it is the only way the two races can live together in harmony. If today you make this appropriation to continue this committee, you are doing more to create strife, riots, to destroy our America, than anything you could possibly do.

You will be marching further along the road of forcing the solid American citizens to band together against organized racial and political minorities, and when that day comes these same minorities will regret the day you surrendered the Constitution in an effort to secure votes to win a national election.

The Good Lord made the Negro black. He is black. If he accepts that fact, he can be a credit to himself and to his race. All the committees in the world will not change his color. All the orders of the F. E. P. C. that he shall not be referred to as colored will not change that color. If the F. E. P. C. is abolished and the Negro and the white man left alone, racial problems will be solved. In the South, the only place where the two races have gotten along, we have practiced segregation. The white man is protected in his home and in his meeting places from interference. The Negro is protected in his home. We expect to keep that segregation. To do as is advocated by those who sponsor the F. E. P. C. is to destroy such segregation. White and Negro would have social intermingling. The natural result through the



years means a mongrel race. We from the South will have no part of it.

You must refuse this appropriation. Some things are more dear than winning any election. We must preserve our country, and destroying this committee will do much to preserve it.

(By unanimous consent, Mr. WHITTEN received permission to revise and extend his remarks.)

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Georgia [Mr. PACE] such time as he may require.

Mr. PACE. Mr. Chairman, I feel that I should extend my congratulations to my colleague from Georgia, Judge TARVER, for his accurate description of the conditions which have been brought about through the activities of the Committee on Fair Employment Practices. He has so truly and fully presented the question that there is little I can add.

I have investigated the activities of the agents of this committee, and if they continue much longer it is going to be necessary for the white people, not only in the South, but in many other sections of the country, to organize committees for their own protection. The agents and employees of this so-called Fair Employment Practice Committee are nothing more than agitators, deliberately trying to stir up trouble between the races. They should be dismissed immediately.

This committee has never been authorized by law, and Congress has never appropriated any funds to pay the salaries and expenses of the numerous agents and employees of the committee. The committee was set up by an order of the President issued May 27, 1943, and its expenses have been paid by the President out of funds which the Congress appropriated to the President for other purposes.

In his order creating this committee the President indicated that he was doing so in order to contribute toward unity in the war effort. He should have known then, and certainly he does know now, that the activities of this committee would have just the opposite effect. It is bringing about more disunity among the people than everything else which has been done by the numerous Government agencies since the beginning of the war. It is nothing more than a deliberate effort to take advantage of war conditions, to impose upon the patriotism of the white people of the country, and to try to force social equality.

It is unfair to millions of our white boys now in the service. I do not know of any of them who have gone to offer and give their lives for the establishment of social equality for the Negro. Certainly those from my section of the country, at least, are going to be greatly disturbed and disappointed when they return home to learn that their Commander in Chief has set up and promoted this agency to try to change the social and economic ways of this Nation while they were out on the battle front. They responded to the call of duty because they love their country, they love their way of life and were willing to fight to defend it, but they did not enter the

service in order to have that way of life changed during their absence.

I do not regard this as purely a southern problem. Already in most of the war-production centers of the East and the Northwest there have been strikes and other disturbances brought on by the activities of this committee. Numerous Members of this House have told me that race relations in their States are growing more critical every day and are approaching the explosive point. Unless these activities are brought to an end I fear some terrible consequences are going to follow, bringing on disunity almost comparable with that which existed back in the sixties, except it will not be confined to an issue between sections.

Very few people outside of the South have any understanding or appreciation of our race problem. Very few Members of Congress from the other sections understand our difficulties or appreciate our efforts to treat the Negro fairly and maintain proper relations. There is one thing I have definitely satisfied myself about, and that is that the southern white man has more concern about the welfare of the Negro than do the people in many other sections.

As my colleague stated a few minutes ago, there appear to be some white people who do not regard themselves any better than a Negro, and, like my colleague, I am ready to accord them the right to reach their own estimate of themselves, but if you will study the activities of such people you will find that many, if not most of them, are actuated by what they can get from our of the Negro rather than a sincere effort to be helpful to the Negro.

We have our problems in the South, economic and racial. They are great problems and require the best thought and best effort of our people. I believe we can solve them, if we are permitted to do so, in a way consistent with the best interest of all. All the South is asking today is to be let alone, to be permitted to settle our local problems just as the founders of this Nation intended for them to be settled. It seems to me that is so little to ask, and yet there are so many people who want to take a hand in our affairs.

Mr. Chairman, I earnestly hope the Members of the House will support the motion of my colleague the gentleman from Georgia [JUDGE TARVER], to strike out the paragraph in this bill which would appropriate \$500,000 to continue the activities of this Committee on Fair Employment Practice.

(By unanimous consent, Mr. PACE received permission to revise and extend his remarks.)

Mr. TABER. Mr. Chairman, I yield 20 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, and members of the committee, if I may have your attention for just a moment: Times without number I have heard Members of this body declare in the well of this House that they would never vote to appropriate a single dollar of the taxpayer's money which was not essential for the war effort or absolutely essential to carry on the necessary civil affairs of govern-

ment. In the matter that I intend to present this afternoon and the amendment which I shall offer when this bill is presented for amendment I shall endeavor to test the sincerity of those statements. May I say to you as a member of the subcommittee of the Committee on Appropriations which will shortly bring before you the Labor-Federal Security Agency appropriation bill, with the aid of other members of that subcommittee, we have been trying diligently to find out where there is duplication of effort in various agencies of Government with the ultimate objective in mind of trying to eliminate duplication of effort wherever it may be found and thus save some money for the taxpayers of this Nation. I know there are some people who say, "Oh, saving a million dollars does not mean anything." So far as I am concerned I have told the people whom I have the honor to represent that I will not vote for a single dollar of appropriation that is not justified in the public interest or in the necessary effort to carry on the war.

Let me call your attention to the fact that by legislative action of the Congress we created in the Government a Department of Labor and charged it with certain specific fundamental responsibilities. I want the Department of Labor to function and to be in a position to carry out the responsibilities that this Congress has placed upon it in aiding the solution of the multiple problems that confront that department of government today.

Now, let me be specific. In the hearings before the subcommittee this year there appears an item of \$200,000, requested by the Secretary of Labor, in order to carry on what is known as the working-conditions program. It appears that the Secretary of Labor was given this amount in a deficiency appropriation last fall. The amount became available January 1, 1944, and pursuant to that appropriation, the Secretary of Labor set up in the Department of Labor an organization known as the working-conditions program. Now, what is this for? This money was appropriated and the program was established to enable the Secretary of Labor, operating through the Labor Standards Division of the Department of Labor to look after working conditions of men and women in production, in the factories of this country, to try to make suggestions as to the health, sanitation, and general working conditions, and to investigate and to cooperate with manufacturers and industry in an effort to provide better working conditions. That is a fundamental function of the Department of Labor and is to be found in its basic law as passed by this Congress when the Department of Labor was created.

Mr. HARNESS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. If the gentleman will pardon me I prefer not to yield just now.

This year the Department of Labor seeks to incorporate that \$200,000 into its regular appropriation bill. I am not critical of the Department of Labor for engaging in this activity. It is an ac-



tivity that it is contemplated the Department of Labor will perform.

I now find upon examination, however, that the War Production Board has set up within it an agency known as "The Labor Production Office," and they are asking in the particular bill that is now before us for an appropriation of \$600,700. For what purpose? In part, at least, to do exactly the same work, specifically the same work that is contemplated to be done under the \$200,000 appropriation requested by the Secretary of Labor in her request for appropriation. The work in the Secretary's office is to be performed by the Division of Labor Standards, and over in the War Production Board is this labor production office, headed by Mr. Keenan, which is doing exactly the same thing. Now, I ask any of you on the floor of this House to stand up here and, after investigation and analysis of that activity, tell me whether there is any justification for having two agencies of Government spending the taxpayers' money to do exactly the same thing.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. JUDD. The gentleman is aware, is he not, that a great deal of exactly the same work, this same sort of activity, is handled by the Office of the Surgeon General, the Public Health Service, partly through the State departments of public health. For example, in my State, they have a very extensive program, partially supported by Federal funds through the public welfare, and partly through State funds through the public welfare, and the department of public welfare inspects and coordinates these factory standards and conditions. The same thing is being done in three departments, not just two departments.

Mr. KEEFE. I am fully aware that the Public Health Service, operating in conjunction with the State public health services, is engaged in the matter of the protection of the health generally of the citizens of the various States. I do not think they have any specific duties or functions, however, in this particular field.

I am calling attention to this particular situation because at the proper time by suitable amendment, I intend to move to eliminate the appropriation for the War Production Board that is found in the pending bill, that proposes to duplicate the work of the working conditions program in the Department of Labor.

Now, let us take up another item. We have in the Department of Labor the Conciliation Service, which is headed by Dr. John Steelman, a man in whom I personally have utmost confidence, and whose organization, in my judgment, is performing a splendid function and a splendid service for the people of this country in attempting to mediate and conciliate labor difficulties throughout the country.

Now, what is the job that Mr. Steelman is charged with performing, under the law? His specific function is to mediate and conciliate labor difficulties

and labor disputes. We provided him with a constantly expanding appropriation to enable him to hire all the conciliators and mediators that might be necessary in order to meet the growing demand on the part of both labor and industry for that type of service.

As far as I am concerned, I want that service performed. It is a vital service. But we find now that the War Production Board, in setting up this Labor Production Office, is again duplicating the work of the Conciliation Service. Not only duplicating the work but actually interfering with the orderly work of the Conciliation Service. Now, the question is, do you want to appropriate public funds to maintain in the War Production Board, a labor department that, for all practical purposes, is infringing and impinging upon the jurisdiction and authority of the regular agencies of Government in the Department of Labor, and actually not only duplicating the work, but impeding the efforts and work of the regularly established agencies that we have charged with responsibility in that field?

The supporters of this appropriation for the Labor Production Office will contend that there is no duplication of effort. I want to say to the Members of this Congress that I do not care what Mr. Keenan says in the testimony that he gave before this subcommittee. A careful analysis of his testimony read in connection with the testimony of Miss Perkins and Dr. Steelman before the Labor-Social Security Subcommittee is sufficient proof to me that there is absolutely duplication of effort. I went into this matter with the Secretary of Labor and with Dr. Steelman and I knew that it would be claimed that they had a working agreement with the Labor Production Office of the War Production Board so that there would not be any duplication of effort. The War Production Board, under its program, has a lot of men here in the office at Washington, 201; and about 100 or 125 out in the field. They are charged, so they say, with the responsibility of trying to get out production. The Army has a similar organization in the field, consisting of expeditors and other personnel. The Navy has a similar organization in the field. The testimony of Dr. Steelman is that so far as the Army and Navy are concerned there is no duplication of effort and they work in the strictest harmony, but a reading of his testimony with reference to the conflict between his agency and the similar agency of the War Production Board does not disclose that situation to exist.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield at that point?

Mr. KEEFE. I yield.

Mr. H. CARL ANDERSEN. I merely wish to state, Mr. Chairman, that in my capacity as a member of the Subcommittee on Labor and Social Security, along with the gentleman from Wisconsin [Mr. KEEFE] and other Members, that everything the gentleman from Wisconsin is saying today is proven by the hearings we have just concluded. I

want to compliment the gentleman from Wisconsin for the splendid research and diligent work which he has done in this and many other matters which concern the Appropriations Committee.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I rather anticipate the inquiry the gentleman from Michigan is going to make. Let me proceed 1 minute and I think I will answer the gentleman's question.

On page 691 of the hearings on the present bill Mr. Keenan made this statement. He was challenged by the chairman of the committee that there was duplication of effort. This is what he said:

As to what we have found in the Labor Department, at the last hearings a year ago there were some complaints about our overlapping with the Conciliation Service and some of the other functions of the Labor Department. We met with the Secretary of Labor and straightened it out. Our job is entirely confined to war production.

I asked Miss Perkins about that situation and specifically with reference to the \$200,000 appropriation for the working-conditions program to which I have heretofore referred, and this is what she stated. The question was:

Does this group operate in cooperation with a similar group of the War Production Board and one of the War Labor Board which have representatives apparently doing the same work?

I call your particular attention to this answer of Secretary Perkins:

The War Labor Board is not doing anything that remotely resembles this. What the War Production Board is doing I think I had better not talk about, because we have a very limited understanding of what they are doing. I cannot therefore speak for them.

When the situation was before the committee with respect to the Conciliation Service some questions were submitted to Dr. Steelman along this line, and I want to say to you Members who are all familiar with the way these committees operate, you know how difficult it is to get the head of an agency of Government to find any fault or be critical in any way whatsoever of any other agency of Government. The fight that developed between Mr. Wallace and Jesse Jones resulted in a Presidential decree, you will recall, which kind of put a damper upon any comment before congressional committees by one agency of the Government about another, and so it is very difficult to elicit information on the record from these men that might be critical of some other agency of Government. But I want you to listen to what John Steelman had to say about this situation:

Do you not think, for the efficient operation of the conciliation service that is charged with the direct responsibility and the primary responsibility of endeavoring to settle labor disputes, that it is a proper subject of inquiry to go into and ascertain how many other agencies of Government may be engaged in the same or similar activities?

And his answer was: "Yes."

Then I asked him this question:

Do you not think that all of these activities should be concentrated into one responsible agency?



His answer was:

Yes; I think it is very unfortunate that there is duplication. With all the good intentions we may have I think it is unfortunate for the Government to have different agencies doing the same job. I think whatever one is best fitted for the job ought to be recognized as the one to do that job. I think other people ought to come into the picture when they are requested or when they come make a contribution and as I say I am sure those are the instructions from the Army and Navy to their people. In recent months we have gotten along very well indeed with perhaps only one or two little misunderstandings.

Then I asked him about the War Production Board set-up and he said: "Yes; they had some difficulty in earlier days." Then I asked him this question:

I am not referring to earlier days but right now. Let us be fair and if they are without being critical of their activities at all say so. You are testifying in response to the request of a member of this committee.

Dr. STEELMAN. Yes; in spite of the instructions from Washington I think there will always be instances where people out in the field will become interested and involved in these matters. It is just unavoidable.

Then he was asked this question:

You mean to say they are involved in it to some extent today?

Dr. STEELMAN. Occasionally.

Question. Despite instructions to the contrary from Washington?

Dr. STEELMAN. That is right.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman from Wisconsin 10 additional minutes.

Mr. KEEFE. That is what appears on the record, Mr. Chairman; but the realities of the situation are that the War Production Board does have these representatives all over this country out in the field in this Labor Production Office who are attempting to do exactly the same thing that John Steelman is charged with responsibility for. Their justification, they say, is that they have these people right out on the job in the factories so that when a dispute comes up they are on the job to handle it right away, and if it gets bad they can call in the conciliator. My opinion is that because of that meddling of another agency in the job of the conciliation service the situation frequently gets to a point where the conciliation service cannot function due to the interference of the duplicating agency of Government.

Another thing, we have this Labor Standards Division in the Department of Labor. What is its job? What is it supposed to do? It is supposed to provide for the inspection of plants in this country for health, safety, and sanitation; that is the fundamental purpose of the operation of the Division of Labor Standards, to assist labor unions and management in sitting down and understanding the collective bargaining processes, to advise them as to their rights under the law, to advise them as to what the law is, to provide them with contracts and forms. Here we find part of this Labor Production Office right now

in the language of Dr. Keenan himself, doing exactly the same work.

What are we going to do about this thing? Are we just going to say, "Well, here is the testimony of Mr. Keenan. Here it is. Here is what he says they are doing." Mind you, there is no testimony of anyone else who has looked into the situation, but I have taken it upon myself, Mr. Chairman, to look into the matter and I have gone into it at some length. I would not be here this afternoon were I not most thoroughly convinced that there is the most atrocious waste of money arising out of this duplication.

Mr. CANNON of Missouri. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. I wonder if the gentleman would join me and other members of the committee in authorizing an investigation of this matter in order to secure the facts?

Mr. KEEFE. So far as the gentleman from Wisconsin who is now speaking is concerned, I have no authority to join the gentleman from Missouri in making any such request. The resolution providing for the appointment of investigators was prepared by the gentleman from Missouri in cooperation with the ranking Republican member of the committee, the gentleman from New York, and the gentleman well knows what the provisions of that resolution are. It does not require my signature as a member of the subcommittee, and so far as I am concerned, I do not intend to delay action upon this matter through the ruse or medium of some alleged investigation by a set of investigators who will go down here to these departments, talk with interested people, and check their files. So far as I am concerned, I have made my own investigation on my own responsibility as a member of the Appropriations Committee of this House and I am bringing to the attention of the House the facts that my investigation has found and which are fully supported and disclosed by the sworn testimony taken before a regular committee of the House when the witness was subject to interrogation.

Mr. CANNON of Missouri. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. I trust the gentleman will join us in an investigation in view of the gentleman's statement there ought to be an investigation both here and in the field. Will the gentleman cooperate with us?

Mr. KEEFE. What cooperation does the gentleman want from me? Has not the gentleman the full authority to order an investigation?

Mr. CANNON of Missouri. Will the gentleman approve the investigation?

Mr. KEEFE. I understand the gentleman's attitude. I have refused to sign such a request, so far as I am concerned, because I do not want the gentleman to put me, in his usually clever manner, in the position where the gentleman can get up and say, "Well, there is no need

of doing anything about this now. We are going to have an investigation and the investigators will report next month or 6 months from now, then we will have an opportunity to pass upon it." In the meantime the bill which is now under consideration and must be voted on will have passed the House and we will have to rely upon sticking some language in a future deficiency bill in order to cure the evil. So far as I am concerned, may I say to the chairman of the Committee on Appropriations, this problem is before the House today. The gentleman's committee has reported this bill. Can the committee reporting this bill in good conscience come before the House and say, as the gentleman has said, "Yes; there may be something to what the gentleman from Wisconsin says, the gentleman is perhaps right, there may be and perhaps is duplication of effort." If that be true, I ask the gentleman, Why, then, was not an investigation made and ordered before his committee reported this bill to the House for consideration? That was the time to have that investigation, not now or some time in the future.

Mr. CANNON of Missouri. Let us have an investigation, let us call on the War Production Board and Mr. Keenan whom, apparently, the gentleman has not consulted.

Mr. KEEFE. I have consulted the hearings and the justification which was presented to the gentleman's committee.

Mr. MASON. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Illinois.

Mr. MASON. Would the gentleman be willing to cooperate in this investigation if we returned this bill to the committee for further consideration?

Mr. KEEFE. I may say to the gentleman I do not think that is necessary. I have the facts and I do not have to rely upon some investigator who perhaps is not as familiar with the facts as is the present speaker, who has made it his purpose and his object to ascertain the facts by consultation with the people who are involved.

Mr. RABAUT. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Michigan.

Mr. RABAUT. Inasmuch as the gentleman has taken the facts from the hearings I will ask him to read page 691:

Our job is entirely confined to war production.

Mr. KEEFE. The gentleman is now reading from the testimony of Mr. Keenan?

Mr. RABAUT. I am reading the hearings that guide the committee in bringing bills to the House.

Mr. KEEFE. The gentleman is reading the testimony by Mr. Keenan.

Mr. RABAUT. It is one thing to talk a lot about it but it is another thing to take a look at what the facts are before the committee. These are the facts before the committee. The gentleman just finished saying that he based his statement on the facts. Read the facts,



let the committee have the facts as they are set forth on page 691.

Mr. KEEFE. If I could have enough time to read Mr. Keenan's full statement I would be most happy to accommodate my voluble friend from Detroit.

Mr. RABAUT. To save time, put it in the RECORD.

Mr. KEEFE. Let me say this to the gentleman: If he knows so much about this situation and is so positive that he is right and that the committee's action is right, why is he now asking for an investigation, wanting to send investigators out to find out whether the action of the committee is right or not?

Mr. RABAUT. Because of the statement that the gentleman made in the full committee. Now, the gentleman will not go along, after he has made the statement very similar to the statement he has made on the floor of the House today.

Mr. KEEFE. This is a little dodge of the New Deal and the gentleman who speaks so volubly for it is just reiterating the thing which always happens when a situation of this kind arises.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. KEEFE. Mr. Chairman, may I say to the gentleman from Michigan and the chairman of the Committee on Appropriations, you are not going to put me in that hole. I have a responsibility as a Member of this Congress. I have made my investigation. If you want to make an investigation you go out and make it. I think you should have made the investigation before you reported this bill. That is as far as I am concerned.

Mr. CANNON of Missouri. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. The gentleman knows we do not make these investigations personally. No investigation made by any man with preconceived notions is of any great value. We have a wholly impartial, nonpartisan, non-political investigating force whose fairness or efficiency has never been challenged. It has never failed to get the facts. Now, why have an impartial investigation? The gentleman should leave it to somebody who will secure authoritative data about which there will be no question. The gentleman should permit us to do that and should assist us in getting the facts directly and immediately from the War Production Board and Mr. Keenan. The gentleman has heard only one side of the case.

Mr. KEEFE. The gentleman recalls the time of my trying to do something about penalty mail. If the gentleman remembers, we had assurances given at that time if I would consent to withdraw the amendment which this House on three separate occasions by a record vote agreed to, legislation would be passed to take care of the situation. We got the legislation passed and it has been lying over there in a pigeon hole in the other body ever since. You cannot get any action at all. The thing goes on and on and on. Now, this bill is up here

for consideration. Does the gentleman from Missouri think I am outside of my rights as a Member of Congress?

Mr. CANNON of Missouri. I think the gentleman ought to join us in an impartial investigation. We can all give our own views on it, but the need is for unchallenged facts.

Mr. KEEFE. Does the gentleman from Missouri dispute any of the facts I have submitted this afternoon?

Mr. CANNON of Missouri. I do not know anything about them. No authoritative agency has certified them.

Mr. KEEFE. Well, if the gentleman does not know anything about them how could he report this bill?

Mr. CANNON of Missouri. The gentleman ought to substantiate his own conclusions by facts secured through recognized and established agencies.

Mr. KEEFE. I have gone to the proper agencies and I have right here in my hand the answer to the whole situation.

Mr. RABAUT. Will the gentleman agree to have an investigation made by the investigators?

Mr. KEEFE. We have right here the answer to the whole situation, which is the field service manual issued by this Keenan organization and the subject is: "Relations of the War Production Board with other agencies handling labor disputes."

The situation was attempted to be put before the Committee on Appropriations that Mr. Keenan's organization had a contract relationship with the Department of Labor Conciliation Service by which their specific fields of activity were clearly defined.

I ask you to turn to the record on page 691, in view of the fact that my friend from Michigan has been so meticulous in calling attention to the record, and point out, if you will, from the list of contracts submitted by Mr. Keenan, where there is any contract with the Labor Department as to the operations of his agency in connection with the Conciliation Service. You will not find it. It is not there.

I do not intend to be dissuaded from the objective which I have in mind, and that is to ferret out these duplicating agencies of Government, and to eliminate them wherever they can be found. I hope the time will come sometime in this Government of ours when the Congress of the United States will see to it that the matters affecting labor and labor relations are concentrated in the agency which we have set up to deal with that problem, and not find 15 or 16 other agencies of Government dealing with that very problem.

The complaint that I find emanating from labor itself is that there are altogether too many agencies of Government meddling with this intricate problem of labor relationships today. What I am seeking to do is to place in the Department of Labor the responsibility for handling these problems of labor-management relationship, and not have them duplicated and scattered throughout a dozen different agencies of Government, one overlapping the other, and many of them in conflict with the operations of the other.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I want to say that I agree perfectly with everything the gentleman is saying, especially when he says he wants the regularly established departments of government to take care of the things they should take care of. I notice in the list of persons who are employed in the Office of Labor Production, who receive a salary of \$5,600 a year and over, is the name of one David Lasser. He is Assistant Director of the Plant Production Division. Is that the same David Lasser whom the Congress took off the pay roll at one time because it was proven very conclusively that he believed in the destruction of our American institutions by force? Is that the same David Lasser?

Mr. KEEFE. I will say to the gentleman that I read that list of names inserted in the record, and I found a number of very familiar names, including among them David Lasser and Dave Sappos, and some others, on the pay roll of this agency. I am not attacking this item because of the character of any of its personnel. I am attempting to put that work where it belongs and to put the responsibility for carrying on those activities in the agency of government that is charged under the basic organic law with that responsibility.

Let me call your attention to another one. We have in the Department of Labor an organization known as the Wage Adjustment Board which is headed by the Assistant Secretary of Labor, Mr. Tracy. Time will not permit me to give an evaluation of the testimony of Mr. Tracy except to say this:

If you will read the testimony of Mr. Tracy as to the objectives of the Wage Adjustment Board, and what it is doing in the field of wage adjustment and labor relations in the building trades industry, you will find over here in the War Production Board an absolutely duplicating activity carried on by Mr. Keenan. That is another case where you have two agencies doing exactly the same thing. All you have to do is to read the justification of Mr. Keenan and you will see that he justifies that activity in almost the identical language that Mr. Tracy justifies a similar activity in the Labor Department.

Now you are going to have a chance to put your minds to work on this proposition and determine on this pending appropriation bill where these issues are involved, whether we are going to continue to vote continuing appropriations to various agencies of government in order to provide jobs and duplicating work that is being done by the regularly established agencies of the Government.

I want it to be perfectly clear that I am not attempting to interfere with any investigation that the Committee on Appropriations or the Subcommittee on Deficiency sees fit to make. I have no responsibility in that matter. That is a matter in charge of the chairman of the committee and the ranking minority member. If they want to go on with this investigation in an attempt to delay



consideration of the facts which I have brought out, and which I defy anybody to controvert, then let them go ahead with the investigation. I shall stand upon my right, as a Member of the Congress, to bring these things out at the proper time, which long months of investigation have brought to my attention, and that time is when the appropriation under consideration is before the House.

Mr. RABAUT. Mr. Chairman, will the gentleman yield to me for a correction in his last statement?

Mr. KEEFE. Yes; I yield to the gentleman from Michigan.

Mr. RABAUT. The gentleman says he has nothing to do with this investigation. The gentleman is a member of the Subcommittee on Labor and Social Security. The very matters that the gentleman is complaining about are matters that arise in both subcommittees, namely, the Subcommittee on Deficiency and the Subcommittee on Social Security and Labor. Under the circumstances, if you want a committee investigation—and the main complaint about duplication has come from the gentleman addressing the House—it should be signed by the members of both subcommittees. The gentleman should be willing to do that.

Mr. KEEFE. The distinguished gentleman from Detroit cannot disturb me at all by that statement. He obviously is not familiar with the rule. If he was, he would know that the request would come from the chairman of the subcommittee and the ranking Republican member of that subcommittee and not from me.

Mr. RABAUT. Does the gentleman want one in a higher position than the chairman of the full committee to make the request?

Mr. KEEFE. You can make your investigation in this deficiency bill. You do not need me for that. Go ahead and make it, but in the future I hope you will make your investigations before you report the bill.

Mr. RABAUT. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, in order that the facts in the case may be properly presented in the RECORD, when we return to the House I will ask that certain language in the hearings be printed in the RECORD at this point.

Mr. KEEFE. Which language?

Mr. RABAUT. The language dealing with the debate that has just taken place. I would like to quote.

Mr. TABER. What page, please?

Mr. RABAUT. I will quote from pages 691, 693, and 694. Here is something that might be told to the House. Mr. Keenan said:

Where we find the Conciliation Service we get out. We get complaints before they come to the Conciliation Service. Where we find production interfered with, or where there may be slow-downs, where management should know it, they call in some office in the industry division and notify them and then we are called to help settle the problem.

This whole activity deals with war production—

Mr. KEENAN. In 1941 when we got into the great building program we had conditions which were different all over the United

States. Every little town had a different condition.

General Somervell called us into the office and asked us if we could not work out a stabilization program to apply to Government construction. We had a meeting and the first group that we met with included representatives of the Army, the Navy, the Maritime Commission, and the Federal Works Agency. Later the D. P. C. came in. They set up a stabilization program in a building trades stabilization agreement, which I am submitting for the record. This stabilization program had a clause in it to the effect that any dispute which came up over this agreement would be decided by the board of review, made up of a man from the Government, a man from the building construction trade, and a man from the services.

The only thing that they act on is disputes that come up on the terms of the agreement. We have nothing to do with wages; that is handled by the wage adjustment board. All that this group does is to make interpretations of the agreement and to hear the disputes that come up under the agreement.

#### INDUSTRIAL RELATIONS DIVISION

The CHAIRMAN. I notice that the Industrial Relations Division is asking for some increase, 10 in personnel and about \$50,000 in funds. What is the program involved in this increase?

Mr. KEENAN. This is to take care of the changes in the War Production Board program and to meet production problems of critical product programs. From time to time, now as the war changes we are going to move into civilian production. We are going to increase civilian production. Most of this will be done where we have materials and manpower. There have been some investigations made. We will allow this increased production where there will be no interference with war work. These people are people who work in the shops and know the job that they will be doing and they will go out and make these investigations for us to be sure that we will not interfere with war production.

It is also to work on increased production problems of key products because today, with the Army drawing off people for the draft, we will be compelled from now on to get more production out of every person. In many cases we will have to increase hours. It may be that there will be contracts that have to be set aside. That is the type of job that these fellows will have to do and it will continue until this thing is out of the way.

The CHAIRMAN. That is a very sensible thing.

Mr. RABAUT. I understand your work is confined to war production; that is what it has been confined to in the past?

Mr. KEENAN. Yes.

Mr. RABAUT. Now you are charged to make the adjustments involved in the reconversion program?

Mr. KEENAN. That is right.

Mr. RABAUT. That is what you are planning for?

Mr. KEENAN. Yes.

Mr. RABAUT. Have you assisted in the work of production to the point of really getting much greater production?

Mr. KEENAN. Yes, sir.

As to what we have found in the Labor Department, at the last hearing a year ago there were some complaints about our overlapping with the Conciliation Service and some of the other functions of the Labor Department. We met with the Secretary of Labor and straightened it out. Our job is entirely confined to war production. Most of the work that we have is before anything happens. We are in production mainly, and if we find that there is dissatisfaction in the plant we go in and try to find out

what the dissatisfaction is and start to straighten it out so we can increase production. We are building up a relationship between labor and management. I know that you know that many of these plants have just been organized in the last 3 or 4 years and they have not much experience. There is generally a barrier between the two and we have been trying to get them to work together to increase production.

It is one thing to stand here and talk about it but it is quite another thing to get the production for the war effort to the maximum height to which it has gone in the United States, to the admiration of the world.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Is the gentleman aware of the fact that in the appropriation for the Labor Department and its various agencies we have included wartime appropriations for national defense to augment for national defense purposes the activities of every one of these agencies of the Government, and the appropriation carried two items—

Mr. RABAUT. Yes, but I should like to refer the gentleman to the extracts of the hearings above especially the reference to General Somervell.

What further evidence does the gentleman want? How many agencies does he want interested in the war effort and in the production of war goods? I am a little disturbed that this argument should have gone to the extent that it has, in view of the fact of the national emergency.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. RABAUT. Mr. Chairman, I yield myself 2 additional minutes.

Mr. KEEFE. Is the gentleman familiar with the functions of the Wage Adjustment Board in the Department of Labor?

Mr. RABAUT. I am familiar with the matters that came before us in this hearing, but I asked the gentleman if he knew what was in the hearings and he said he quoted from the record. Then he did not quote from the record at all, because if he had he would have known what General Somervell had said.

Mr. KEEFE. General Somervell did not even testify before the gentleman's committee, and the gentleman knows it.

Mr. RABAUT. No; he did not testify. I am not trying to twist the facts for the House or for the gentleman. I said that General Somervell was quoted by the witnesses as having invited the witnesses before him and telling them what he wanted done in this regard, and that information has been told to the gentleman in truth and not twisted before this body.

Mr. KEEFE. Will the gentleman answer my question? Does he know the work of the Wage Adjustment Board?

Mr. RABAUT. I have just told the gentleman the answer to his question. I know the things I am supposed to know about, and I am speaking of them, but I do not believe that could be said of the gentleman who gave us the long talk on this subject.



Mr. KEEFE. Then the answer of the gentleman is that he does not know anything about the Wage Adjustment Board, which is doing the same thing?

Mr. RABAUT. There is another interpretation of his own that the gentleman is making.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I am unalterably opposed to that part of the pending bill which provides for an appropriation of \$500,000 to be expended by the Committee on Fair Employment Practice. In the first place, we have never authorized such an agency by direct legislative enactment. In the second place, its operations can have no other effect than to promote centralized and bureaucratic regimentation which will result in disunity and internal strife at the very time when harmony is vitally essential in speeding our war effort to victory.

The order which established this committee states that it is based upon the premise that—

It is the policy of the United States to encourage full participation in the war effort by all persons in the United States regardless of race, creed, color, or national origin.

In my judgment, the best way to assure such full participation is to refrain from stimulating such dissension as the activities of this very committee create. Upon it rests the responsibility for much of the strife and misunderstanding and disunity which have thwarted and delayed the uninterrupted progress of our war effort.

For a century and a half America has prospered under the dual system of government which the fathers founded. Now we see creeping in another and a spurious philosophy based upon the false theory that administrative agents sitting in swivel chairs in Washington know better how to run the affairs of the respective States than the States themselves. The boys at the front are fighting and fighting valiantly to rid the world of this very doctrine of centralized government which has wrought havoc for liberty-loving people wherever it has been practiced. We shall be unfaithful to them, and we shall be promoting the subversive systems against which they so bravely battle, if we do not put a stop to this unwarranted encroachment upon the sound and fundamental principles of freedom which have characterized our American life and accomplishment.

I believe, for instance, that the people in Texas know better how to run their own affairs than some emissary of bureaucracy coming to them from some other State or from Washington and usually unfamiliar with their history and their conditions and frequently out of sympathy with their ideals and purposes. Such pilgrimages of uninformed and unsympathetic administrative agents make for discord and not for unity. In our governmental capacity let us stop sowing the wind while there is still fair opportunity to avert the harvest of the

whirlwind. Surely the operations of this Committee on Fair Employment Practice, the "fairness" being based upon the self-determined standards of the Committee itself, are retarding rather than speeding our triumph at arms. It is violating the very purpose for which ostensibly it was created.

Let us get on with winning this war and preserving our American way of life. The boys at the front are performing a wonderful service to this end. In the same spirit of victory which inspires them, let us banish from the land for which they fight the subversive principles and practices which imperil our present progress and our permanent security.

(Mr. LANHAM asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. CANNON of Missouri. Mr. Chairman, I yield 7 minutes to the gentleman from Washington [Mr. COFFEE].

(Mr. COFFEE asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. COFFEE. Mr. Chairman, in a totalitarian state where the power of the state rests in the hands of a dictatorial few the security of that power depends upon keeping the people in ignorance. In a democracy such as ours where the power of the state rests with the people the security of that power depends upon keeping the people fully informed. In the words of Justice Douglas, "Democracy will be as vigorous as it is informed." Particularly is this true in a time of stress and crisis such as our country is undergoing at the present moment.

The Office of War Information has the great responsibility to see that the people of the United States get as much information about the war as security will permit. It is the Domestic Branch of the Office of War Information which exercises this function of seeing to it that public knowledge about the war is based upon complete and accurate facts. Never has the responsibility of O. W. I. and its domestic branch to keep the people informed been greater. All of us know that what may prove to be the turning point in the war is at hand. A great offensive has been launched in Italy. American troops, side by side with our allies are fighting fiercely in the jungles of Burma. In the Pacific our soldiers, sailors, and marines are moving island by island closer to Japan. And on the perimeter of the Fortress Europe our boys are poised for a great assault which will crush the Nazis and free Nazi-occupied Europe.

Never has the need for an effective and efficient Office of War Information been so great. All that O. W. I. has done heretofore to keep the people informed is but a preliminary to the task that lies ahead. I have no doubt that with our support in giving O. W. I. adequate funds and personnel it will do its job thoroughly and well.

From the very beginning Mr. Davis and the successive heads of the Domestic Branch of O. W. I. have joined with the military authorities in an effort to get to the people every possible bit of news about military operations and about the

war. The American people demand and deserve the facts. They want the hard facts. They want the bad news along with the good and I know and I think most of us know that O. W. I., in collaboration with the Army and Navy, has done its utmost to see that the facts were got to the people.

It has not been an easy job for O. W. I. and the Army and the Navy to give out the facts. It has been a job of balancing the value of security and surprise against the value of the strength that arises from a people fully informed. There have been criticisms that news was being suppressed. The average American put it bluntly that he was not getting his war news play-by-play. He wanted human interest. He wanted an action report on how his son and his neighbor's son gained their objective, what it cost in travail, agony, and death.

The armed forces were as aware of this situation as was the Office of War Information. The War and Navy Departments were prompt in responding to an appeal made by O. W. I. in its attempt to widen the scope of all war news coverage. In discussions with military authorities, O. W. I. held that if America thoroughly understood the character of its enemies, the nature of the fighting, the use to which its war matériel is put, it would work harder and longer to achieve victory than it would if the information is kept secret. It urged that the full story of the war be told, completely and realistically—within the limitations of military security—and it believed further that many of this country's domestic war problems would fall of their own weight. It urged that the story be told fully while it could be used as an effective weapon, instead of waiting 25 years for the historians.

Full credit must be given to the Navy for inaugurating a new policy of complete news coverage of combat. The attack on Tarawa was described in reports sent in such quantity and with such celerity that the American people on the very day of the attack were able to read the most comprehensive and intimate accounts of their sons under fire.

This was the turning point of the war insofar as war reporting was concerned. From that day to this the improvement has continued uninterruptedly. O. W. I. shares with the armed services credit for bringing this improvement about. The improvement is continuing. For example—

Victory is the first concern of military commanders in the field. These commanders carry a heavy burden of responsibility for the lives of many men and the success of operations. Their decisions, including those on publication of news, are influenced accordingly. Theater commanders, however, may not always be in a position to balance the relative importance of local problems against the need of giving the American people a full and accurate picture of the war situation as a whole. To insure the fullest possible flow of information without distorting the importance of either good news or bad, theater commanders have recent instructions based on an agreement reached by the Office of War Infor-



mation and the War and Navy Departments that news of military and naval operations should be made public as soon and as fully as military security permits. Whenever a theater commander resolves a doubt in favor of withholding news, the facts will be submitted, according to the agreement, to Washington for review and decision as to release by officials of the War and Navy Departments and the Office of War Information.

When last winter the Allied leaders agreed to the establishment of a second front in Europe, O. W. I. realized that this would be the greatest news story of the war and planned immediately to offer its facilities and to coordinate facilities of the armed forces to bring about its proper coverage. An O. W. I. executive, long-trained in the newspaper and communications fields, is now in London arranging details of the coverage of this forthcoming mighty military event. His basic job is to see that correspondents are permitted to accompany and to follow the troops during the invasion and to have at their disposal extensive facilities to transmit their reports home with speed and completeness.

Working in close collaboration with Army and Navy public relations officers, representatives of O. W. I. have seen to it that the American press and radio were given every facility possible to bring the news of the invasion to the American people. Censorship of dispatches has been simplified. A stand-by radio channel supplied by the Signal Corps has been arranged for, for the handling of press copy. In negotiations with the British concerning the timing of communiques, O. W. I.'s representative has been in there arguing for the benefit of the American correspondents. It is in large part as a result of the efforts of O. W. I. that there are to be two invasion communiques a day instead of one, and that special communiques and announcements will be given out as the news breaks.

Thanks in large measure to O. W. I. the American press and radio, and the American people stand to get more news, more accurate news, and prompter news about the coming invasion of Europe than has ever before been made available to any people about so vast and critical an event.

Through its Domestic Branch, O. W. I. has lived up to Mr. Davis' promise:

This is a people's war, and to win it the people should know as much about it as they can. This Office will do its best to tell the truth and nothing but the truth, both at home and abroad. Military information that will aid the enemy must be withheld; but within that limitation we shall try to give the people a clear, complete, and accurate picture.

#### ARGENTINE FASCIST INTERVENTION IN AMERICAN AFFAIRS

Mr. Chairman, I read with great alarm this morning's Washington Post in which there was a story telling how the unrecognized Argentine Ambassador to the United States, Sr. don Adrian C. Escobar, had attempted to use the students of a Washington school to gain a blessing for the Hitler-like Fascist dictatorship in Argentina.

Argentina is the only country in the Western Hemisphere which has enthusiastically continued to give not only aid, but comfort as well, to the enemies of our Government and the United Nations.

Not so long ago, when the American Ambassador to Argentina attempted to lay a wreath at the statue of George Washington in Buenos Aires, he was attacked by an angry mob of Fascists incited by the anti-American demagogic speeches and actions of the military dictators who currently run Argentina.

We should be proud of the principal, teachers, and pupils of McKinley High School who refused to participate in the Argentine Independence Day ceremonies yesterday when they found that the unrecognized Argentine Ambassador was attempting to participate with them in their program.

The viciousness and hypocrisy of the dictatorship in Argentina has once again been exposed by courageous educators and the free American press. I would be derelict in my duties if I did not include in these remarks the highest praise for Francis C. McCarthy, commander of the American Legion of the District of Columbia, who was instrumental in forcing the cancellation of the celebration of Argentine Independence Day. The school children of the District of Columbia—yes, and all freedom-loving Americans—extend their hand in sympathy and friendship to the people of Argentina. However, for the Government of Argentina and its satellite agents here in Washington and all over the world, we have nothing but shame and contempt.

The article from this morning's Washington Post, revealing the latest miserable efforts of the agents of Fascist Argentina to use American school children as their propaganda dupes, is as follows:

#### PROTESTS HALT SCHOOL RITE FOR ARGENTINE HERO

(By David Karr)

Efforts of Argentine diplomats to use Washington school children to gain a spurious endorsement of the pro-Fascist Buenos Aires dictatorship failed yesterday when a chorus of angry protests caused cancellation of Argentine Independence Day ceremonies in which McKinley High School students were slated to participate with Señor Don Adrian C. Escobar, the unrecognized Argentine Ambassador to the United States.

The cancellation was announced yesterday afternoon by Frank C. Daniel, principal of the school.

Mrs. C. A. West, adviser to the Spanish Club of McKinley High, told the story of how the Argentine diplomats attempted to use Washington school children for propaganda purposes. She said the Spanish club has decided to lay a wreath on the statue of Jose San Martine, the "George Washington of Argentina," at Fourth and E Streets NW., yesterday as a demonstration of the friendship which the people of the United States have for the people of the Argentine.

"There was no suggestion that we had anything but contempt for the government in Buenos Aires," Mrs. West said. "However, I received a call Wednesday from the Argentine Embassy informing me that the Ambassador would be present at the ceremonies and would make a short address."

Mrs. West said that she didn't want to affront a diplomat and so had reluctantly assented. She declared, however, that she later arranged with her pupils not to recognize the Argentine Ambassador as a diplomat, be-

cause the United States and Argentina do not have diplomatic relations at the present time. He was to have been introduced at the ceremonies without mention of his title, Mrs. West said.

Francis C. McCarthy, commander of the American Legion for the District of Columbia, promptly issued a blunt protest against the participation of Washington school children in any celebration with officials of the Fascist Latin-American regime. It was prepared on the basis of this vigorous statement that McKinley officials announced the cancellation.

"In view of the representations of various persons and organizations, and at the specific request of the American Legion, the faculty and officials of the school have voted to cancel the celebration," Principal Daniel said.

Before the cancellation, Robert I. Haycock, Superintendent of Schools, said:

"I have no information which indicates there is anything wrong with the project."

However, students at McKinley had a different view. Barbara Benedict, 18, of 1329 Trinidad Avenue NE., president of the McKinley Spanish Club, said she was glad not to have been put in a position of having to introduce the Argentine Ambassador at the wreath-laying ceremonies.

"We thought we would be demonstrating friendship with the Argentine people and not with the Argentine Government until that Ambassador stuck his nose into the picture," she said. "We thought that if the Argentine people knew the United States people were for them and against their Fascist government, they might do something about the situation."

Richard Stanton, 17, who lives at 1517 Fort Davis Street SE., concurred with the view. Stanton, treasurer of the Spanish Club, said he was greatly surprised at the actions of the diplomats.

"The Argentinians who claim to be diplomats must be getting pretty lonesome and desperate for evidence to show their Fascist government what a great job they are doing over here. If they have to use a group of uninitiated high school students to prove that the Argentine dictatorship has friends in this country," Stanton said.

Another student, Patricia Joyce, 17, of 210 Rhode Island Avenue NE., said the Argentinians were attempting to use Washington school children to convince youngsters of like age in Argentina of the popularity the Latin-American dictatorship has gained here. Said she:

"They tried this trick so they could convince students in their own country who have so admirably opposed the dictatorship, that the Hitler-like Buenos Aires government has friends here. American students are opposed to Fascism in all its forms."

In conclusion I desire to compliment the members of the subcommittee who gave this subject their careful, comprehensive, and fair analysis and were very interested in the operations of the O. W. I. I think it is only proper that it be said to the credit of the Committee on Appropriations and particularly the subcommittee dealing with the Office of War Information, that they have given a very fair appraisal of the operations of the O. W. I. and have made a profound study of its functions and have accorded to its officials adequate opportunity to present their case and have shown their willingness and desire to cooperate with the Army and Navy and the whole Government program in affording to the Office of War Information adequate help and in their recommendation of appropriation, though cut \$6,000,000 below the estimate. In my judgment, the com-



mittee has done an excellent job, and I desire to compliment the subcommittee who have been handling this situation for the painstaking work which they have so well performed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Louisiana [Mr. ALLEN] such time as he may require.

Mr. ALLEN of Louisiana. Mr. Chairman and Members of the House, I have asked for this time in order to enter a protest against the inclusion in this bill of the appropriation for the Committee on Fair Employment Practice. I understand the gentleman from Georgia [Mr. TARVER] will offer a motion to strike this provision from the bill. I strongly favor the Tarver amendment to be offered and I hope very much that it will prevail.

This agency was established and its duties were outlined by Executive Orders, 8802 and 9346. The Congress has never passed any law to do this. In my humble opinion, it is causing more trouble and creating more discord in this country than anything else I know of. Persons in high places in this Government have repeatedly pursued a course with reference to our race relations which can have no other result than to bring on trouble and strife at a time when our people should be united behind the war effort. Any move which divides our people during the progress of this war can only hurt the war effort.

The Communists and other radical groups are taking advantage of the war to push to the front their own economic and social theories. These groups, aided and counseled by persons in the Government, are using this very Committee on Fair Employment Practice as their chief vehicle for undermining the economic and social fabric of this Nation and especially the South. If this committee, set up by Executive order, is sanctioned in this bill, it may undertake to control employment in every establishment in this Nation. What the end will be, nobody can prophesy. When the time comes that this committee in Washington, created by Executive order, and not by Congress, can reach into the businesses and perhaps the schools, and even the homes of the Nation and tell us whom we can employ and whom we cannot employ, that is a great step toward dictatorship, and worst of all, the dictatorship of the minority.

I am informed, Mr. Chairman, that this so-called Fair Employment Practice Committee has in its Washington office 48 people, 35 of whom are of the colored race. I noticed reports from Dallas, Tex., a few days ago to the effect that this committee operating out of Washington had even told newspapers in Dallas that they could not use the word "colored" where some person in Dallas had advertised for colored workers only.

Mr. Chairman, this question is certainly one of the most serious issues presented to our Nation in many a year. It aims a dagger right at the heart of the South. Knowing the activity of Communists and other radicals who are pushing this, Southern Members of Congress

cannot in good conscience support it. I repeat, it can only bring discord and trouble when we sorely need harmony in this Nation. The South is doing its best in the war effort. Our sons and daughters are in the services, our farmers are working long hours, our industries have been largely free from strife, and our people out of their meager resources are buying bonds and making every contribution to the war effort. This scheme can have no other effect than to bring keen resentment among our people. I warn the Members of this House that you will make a serious mistake if you undertake to put this over on the people. I would that you would stop and think before you do that. You are embarking upon upon a dangerous course. Now is the time for calm judgment to prevail.

(By unanimous consent, Mr. ALLEN of Louisiana received permission to revise and extend his remarks.)

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Alabama [Mr. HOBBS] 15 minutes.

Mr. HOBBS. Mr. Chairman, the gentleman from Wisconsin [Mr. KEEFE] has just made a very potent argument. He usually and uniformly does. I was delighted with that speech because his argument was so perfectly applicable to the so-called Fair Employment Practice Committee, and leads forcibly to the conclusion that no money should be appropriated for that infamous outfit. The gentleman is so honest and so sincere that I am sure he is also against this iniquitous F. E. P. C., and will, at the proper time, vote to cut out also that duplication of existing agencies. That is another scalp that he may add to his collection. So I am delighted that the gentleman from Wisconsin [Mr. KEEFE] has already come to our side of the issue and has so ably espoused it.

Today I am going to exercise the temerity again to address you in a rather serious vein with respect to some of the fundamentals of government. I hope that I may have your ears, and not only your ears but your minds as well, for the few minutes that I shall endeavor to hold your attention.

Particularly I beg to address my remarks to my friends, and they are my friends, as every Member of this House is, my friends on the Republican side of the aisle. I would, if I may, call your attention to the fact that your forefathers and mine in the debates in the Constitutional Convention, time and time and time again, stressed these two points: First, that this was to be a government of laws and not of men; and second, that this Government would be imperiled to the point of absolute certainty of destruction if we allowed it to become a bureaucracy with all power centralized in Washington so that the Government of the people, for the people, and by the people would be taken from the people and would inevitably perish from the earth. That was the burden of 4 months' debate. These founding fathers were certainly great men. They were preeminent in their wisdom, character, and patriotism. When they harped on those two warnings, they were not talking to

themselves alone, nor to their generation, but also to those patriots of posterity who would love the United States enough to heed these injunctions and thus preserve this Nation as the land of the free, and the home of the brave.

Now then, what do we have here? An appropriation of a half million dollars to approve and maintain a national agency created not by law, but by man. Another bureaucracy added to the number of those that now make the people weary in well doing. With constitutional sanction? Oh, no.

There is not a word—not one word—I reiterate, not one word in the Constitution that even approaches justification for the creation of this committee. I hoped that some of you who favor this F. E. P. C. appropriation might challenge me on that, but you do not. You know I speak the truth. Would some like to suggest the thirteenth amendment? The thirteenth amendment relates solely to slavery. Human slavery was thereby damned, and we all, with one accord, thank God, that that curse and blot upon our civilization is gone forever. But that is no authority for this committee. The thirteenth amendment states that no man should be compelled to work. This is the reverse, that he must be compelled to work if he has the proper color of skin, the proper religion, or is of proper national origin. In other words, that, in itself, is almost a violation of the thirteenth amendment. What the F. E. P. C. is seeking is to make their pets work whether they are fitted to work, or not, and whether, or not, they are qualified for the jobs into which they are forced.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am delighted to yield to the brilliant and distinguished gentleman from New York.

Mr. MARCANTONIO. I thank the gentleman for his compliment. I want to point out to the gentleman that an examination of the record of the F. E. P. C. will disclose that there is no such activity as compelling anybody to work. What the record will show is that the Committee has confined itself to only one activity, that is to prevent discrimination in employment against anyone because of race, color, or creed. As for authority in the Constitution, the gentleman will find ample authority in the fourteenth amendment, for when you deprive a person of employment you are certainly depriving him of fundamental rights without due process of law, when you deprive him of employment because of his race, his color, or his creed.

Further than that, I am sure the gentleman will bear in mind that the F. E. P. C. was set up in the war emergency period. It is a part of the war program. It was set up primarily to promote the war program. Consequently it comes under the war powers of the President. I go further and say that there is ample authority in peacetime under the fourteenth amendment, and particularly under the enforcement clause of the fourteenth amendment.

Mr. HOBBS. I thank the gentleman for that splendid contribution. He is right in one assertion, that the F. E. P. C.



does not make anyone work. He might have added that they do not expect their pets to work, nor care whether their protégés earn their pay or not. Far be it from me, a country boy from Alabama, to disagree with the distinguished gentleman from New York [Mr. MARCANTONIO] on that point. But I do believe, and I submit in all candor, that I know a great deal more about the operation of F. E. P. C. than does the gentleman. I have seen its work in the field. I asked no questions of any partisan, pro or con. I have seen it with my own eyes. I know whereof I speak. I have shuddered at the manifestations of its arrogance, ignorance, and race prejudice against Caucasians in Alabama and elsewhere.

The gentleman says that the fourteenth amendment of the Constitution gives ample authority for the creation and work of the F. E. P. C. I welcome the opportunity this gives me to try to answer such a contention; I am delighted to do so, and in all humbleness, because I understand the gentleman is an authority on the subject, but I simply wish to advance some arguments in opposition.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am glad to yield to the distinguished gentleman from Illinois.

Mr. MASON. My point is this: The gentleman from New York [Mr. MARCANTONIO] has just stated that under the war powers, which is a vague and indefinite field, the President had the power and the right to issue his Executive order establishing this commission. Our distinguished Attorney General says that under an accumulation of powers, whatever that means, he has the power to do certain things. I want to ask the distinguished gentleman from Alabama, if either under an accumulation of powers or under the war powers the President has any right to establish something that is not constitutionally and legislatively proper?

Mr. HOBBS. I think the gentleman's question must be answered with an emphatic negative. I think he is absolutely right in the argument that he makes.

Mr. MARCANTONIO. If the gentleman will be kind enough to yield once more.

Mr. HOBBS. Certainly, sir, for a question.

Mr. MARCANTONIO. I dislike to interrupt the gentleman, but I think both the gentleman from Alabama and the gentleman from Illinois agree on a supposition or on a hypothesis which is not founded either in fact or in law.

Mr. HOBBS. We are delighted to have your frank expression of that opinion, but we will attempt to disabuse your mind of it as we go along. The fourteenth amendment! Whoever heard of a job in expectancy, which one has never had, being called his property? There is no one, not even the distinguished gentleman from New York, on second thought, who would make such a foolish contention. It is absolutely unsound and preposterous. There never has been a hint of such a theory in the history of jurisprudence. If I have a job and you

take it away from me, then there may be a question of my property right in that job; but no such question could possibly arise as to a property right in a non-existent hope of future employment. However, I agreed with you fully that discrimination is being practiced daily as to employment. It is being fomented and practiced by the infamous outfit known as the F. E. P. C. It is not being practiced against the ones you would serve, sir; not against the Negro; not against any whose skin pigmentation, nor race, nor creed makes them beloved in your eyes. It is being fomented and practiced against Caucasians—native-born American citizens, the bulk of our taxpayers. These are they who are being discriminated against in two very material ways every day that the F. E. P. C. is allowed to function. In the first place, they are ousting those who have the misfortune, in their eyes, to have a white skin from employment that they already have. In the second place, they are discriminating against them because of the fact that they will not give them jobs, so that they may discriminate in favor of those you consort with and fawn upon for obvious reasons.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. HOBBS. I will not yield any further. I want to make my own speech. If, when I have finished, I have not consumed my allotted time I will yield gladly.

Mr. MARCANTONIO. I challenge the gentleman to give a single illustration.

Mr. HOBBS. Oh, you cannot find one in New York, but you can if you go to the war plants.

It is the practice of this Fair Employment Practice Committee to prevent white people from obtaining jobs, and to get white people ousted from jobs they have, so as to make places for their pets.

Mr. TABER. Will the gentleman yield?

Mr. HOBBS. I will be so happy to yield to the distinguished gentleman from New York.

Mr. TABER. Does the gentleman mean that this Committee is promoting dislodgment of white citizens from their jobs?

Mr. HOBBS. Why, of course, sir.

Mr. TABER. And that as a result of it they have no jobs? Has the gentleman illustrations of that? I wish you would give them, because I think the House ought to have them.

Mr. HOBBS. I not only have illustrations of it, but I have seen it with my own eyes. The displacement of anybody they can, whose ouster would make room for a pet.

Mr. RANKIN. Will the gentleman yield?

Mr. HOBBS. I would like to make my own speech. I do not mean to say that you gentlemen could not make a better one.

Mr. RANKIN. I just want to say that the gentleman from Alabama and other Members of the House need not get excited over the fact that the reason why Americans are discriminated against by this Communist bunch, known as the F. E. P. C., is because the white Ameri-

cans are in hopeless minority on that conglomerate committee.

Mr. HOBBS. Let me call attention to the premises upon which the Executive order creating the F. E. P. C. is predicated:

Now, therefore, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States and Commander in Chief of the Army and Navy—

With confidence I challenge anybody to point out one syllable or one word in the way of authority that he has, either as President of the United States or as Commander in Chief of our Army and Navy. His duties as President are clearly indicated in the Constitution, but this is not one of them, nor derived therefrom, I submit, most humbly and respectfully. The Commander in Chief of the Army and Navy has the duty to command the Army and Navy which the Congress, and the Congress alone, is, under the Constitution, authorized to create and maintain.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 additional minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Thank you, sir. I want to call your attention to one point further: There is no policy of Government except established in one of two ways: It may arise, as this one has arisen, from the innate character of the American people—we believe in a square deal, a square deal to all without any question of race, creed, color, or origin, we believe in everyone's having an absolutely square deal. That is one source of policy; the other way and the only other way that it can be deduced is from the laws or the Constitution. I challenge any man to dispute it; these are the only ways policy can come into being. But if there were policy it would not be in the discretion of either the President or the Commander in Chief of the Army and Navy to enforce it by a committee created without constitutional or statutory authority.

Mr. ELMER. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I shall be so happy to yield.

Mr. ELMER. What is bothering me and what I want to know is whether if these two Executive orders, No. 8802 and No. 9346, are not upheld by Congress are we going to lose the war?

Mr. HOBBS. We not only are not going to lose the war because of any such action, but we may help the enemy if we do not. Not that any such idea was intended, but because of maladministration by the F. E. P. C. the results have proven divisive, and destructive of morale of our whole people.

Both major political parties have from time immemorial each had in their platforms in various and sundry wordings the same outcry against bureaucracy, the same pledges to cut it down, the same pledges of economy. I certainly welcome the test of whether we mean it or not. Do we mean that our platforms are, as has so often been said of political platforms, that they are like railway coach



platforms, just something to get in on? So we mean to economize? If there be any law to be enforced why not leave its enforcement to the Department of Justice for the maintenance of which we appropriate \$116,000,000 a year? Why appropriate another half million dollars for the F. E. P. C. and its maladministration, creating discord, disunity, and worse?

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I shall be delighted to yield, sir.

Mr. AUGUST H. ANDRESEN. The gentleman referred to the two major political parties; I assume he referred to the Republican and Democratic parties.

Mr. HOBBS. I certainly did, sir.

Mr. AUGUST H. ANDRESEN. Was he also including the New Deal Party, the Labor Party, the Communist and other parties that are not major parties?

Mr. HOBBS. As far as that is concerned I have never read a New Deal platform. I do not recognize any such party, except as a part of the Democratic Party. Nor have I ever read a platform of some of our other so-called parties.

Mr. ROWE. Mr. Chairman, will the gentleman yield for a question?

Mr. HOBBS. I shall be delighted to, sir.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield 2 additional minutes to the gentleman from Alabama.

Mr. ROWE. I find from the figures in this report that available for the year 1944 was \$474,933 for this activity. The gentleman has just indicated that with the passage of this appropriation bill containing this item we would be giving legal aspect to a commission created by edict. Did we not do that when we appropriated the \$474,933 last year?

Mr. HOBBS. No, sir; no such appropriation has ever been made. This is the first time authority or money has been asked of Congress for the F. E. P. C.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I shall be delighted to yield to the gentleman from New York.

Mr. MARCANTONIO. What I am about to say, I do not say for the purpose of undermining the gentleman's prestige as a great constitutional authority. For all the years I have known the gentleman, however, I have found that despite the vehemence with which he has urged certain constitutional positions in this House, the Supreme Court of the United States has unfailingly disagreed with him; has disagreed with him time and time again.

Mr. HOBBS. I am perfectly cognizant of the fact, sir, that that is the gentleman's opinion; but I want to say to you, sir, that the Supreme Court has upheld far more of the constitutional positions I have taken than it has blasted. But whatever my experience in this regard may have been, I rarely have agreed with you, sir. So, no condemnation of me from any source may impair your standing as a constitutional lawyer. I will follow the gleam as I conscientiously see it, and will without too much appre-

hension, take the verdict of the record.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. TABER. Mr. Chairman, I yield 7 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I am taking this time for the sole purpose of securing information from members of the Appropriations Committee in charge of this particular legislation. I have always been a great admirer of good campaign literature; in fact every man in public life who must go before the people to secure votes is constantly trying to secure the type of literature that will attract the attention of the people. Some years ago in my home county a man was running for the office of sheriff. There were several candidates. He felt quite secure that he would win the election, and it was in those days when candidates were allowed to pass out cigars. He was driving along the road on the edge of his county and he saw a large bunch of men threshing grain. He stopped and passed cigars around to those men. They all promised to vote for him. But when the votes were counted he got very few and he was wondering about the men down in that particular area where he had passed out so many cigars who had promised to vote for him and what happened to them. He went down there and talked to them and he found out they were living in another county.

A short time ago a friend of mine over in Algiers sent me a very interesting document. It was so intriguing that I felt I should bring it up here today and try to get some information about it from the chairman of the great Appropriations Committee, a man for whom I have the utmost respect and I know that he possesses the answers to my questions. This document that this friend in Algiers sent me consists of 20 pages and is entitled "Histoire de la vie de Franklin D. Roosevelt, President des Etats Unis," which translated means "History of the Life of Franklin D. Roosevelt, President of the United States." It is written in French and, as I stated, consists of 20 pages, having 66 illustrations of the life, character, and progress made by our great President. It would be a splendid campaign document for any candidate for President. The back of it shows it was printed by the Government of the United States of America. While I cannot speak French, I can read it and understand it and the pictures are very good and very clear. So it is apparent it was sent over to Algiers and distributed among the French people over there for a certain definite purpose.

It would make a splendid campaign document for any man in this House who is running for office if he could afford to get out such a document about himself. I recognize it would not be possible for any man in the House to go to the expense of publishing a document of this kind due to the tremendous cost and also due to the shortage of paper in this country. I notice, too, that the same document is probably published in 27 different languages, so that you may

have your choice of whatever language you want. I only have the French version that was published last year.

I would like to know from the distinguished gentleman from Missouri, chairman of the Appropriations Committee, as to whether or not this publication is one of the publications of the O. W. I. for which an additional \$20,000,000 is asked in appropriations at this time?

Mr. CANNON of Missouri. Unfortunately, I am not familiar with the publication, but I am gratified to hear the gentleman say it is interesting because that was why it was published, that is, to be interesting. I suppose it states there what the publishing authority is. The gentleman prefaced his remarks by saying he proposed to offer something political. This publication could not be political for the reason that it cannot be distributed among United States troops at home or abroad. It could not be distributed to anyone but these natives over there who will have no voice in any election in the United States. But it is exceedingly important that we have their interest, their good will, and cooperation. Of course, those who have lived under the forms of government they have in Europe attach great significance and importance to the head of the government. Their first inquiry is, who is the head of this friendly Government? And this book answers that question and numerous others which impress the local people and insure their good will.

Mr. AUGUST H. ANDRESEN. Will the gentleman permit this observation? This is put out by the Government of the United States, and I assume that documents like this are covered in the appropriation for the O. W. I.

Mr. CANNON of Missouri. Documents of this character are essential to our program of local conciliation and good will. In the furtherance of that purpose we have published and distributed all sorts of things which might be of interest to the local people and which have resulted in securing their friendship and cooperation which has been of inestimable value, both in our conquest of these occupied countries and in our occupation after they are cleared of the enemy.

Mr. AUGUST H. ANDRESEN. I thank the gentleman.

Mr. CANNON of Missouri. We have had letters which have been read in this House from the American commanders testifying to the helpful reaction resulting from the dissemination of this and similar literature.

Mr. AUGUST H. ANDRESEN. I thank the gentleman for his contribution. The gentleman from Missouri has answered the question very well. I can now see the usefulness of this document depicting the life and character of the President of the United States. He also concedes that the additional \$20,000,000 that is asked for in the O. W. I. appropriation will be used to extend this service to people of the other countries of the world.

Mr. CANNON of Missouri. Only a part of it. The remainder will be invested in other materials and activities which prepare the way for our armed forces, save



the lives of American soldiers and expedite the close of the war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, the people of this country should know where their money is being spent and for what purpose. That is one reason why I brought this up today. I am not claiming this is being used for a campaign document in Africa.

Mr. HOFFMAN. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman's story is all right but it is not applicable to this case because this candidate is running for President of the world. He is running for President all over the world as well as in the United States and that is why those things go over there.

Mr. AUGUST H. ANDRESEN. I can admit it is very valuable in that respect, but I would hesitate to express that opinion as to the purpose of it.

Mr. TABER. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from New York.

Mr. TABER. Can the gentleman tell us whether or not the pamphlet was transmitted to him by a member of the armed forces of the United States overseas?

Mr. AUGUST H. ANDRESEN. It was a captain in the United States Army. I would not want to use his name because there might be difficulties for him.

Mr. TABER. Then it evidently must be distributed to the troops overseas under those circumstances.

Mr. AUGUST H. ANDRESEN. He said they were found generally throughout Algiers where he secured this particular copy.

Mr. SHORT. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Missouri.

Mr. SHORT. I wonder if the author of this pamphlet will clothe the naked and feed the hungry in starving Europe also?

Mr. AUGUST H. ANDRESEN. That is worthy of consideration. I know the people in occupied countries want our soldiers to come over there and free them from the tyranny of dictators and bring food for the hungry.

Mr. JENSEN. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Iowa.

Mr. JENSEN. I note the picture of the President on the front cover. Can the gentleman find a picture of Uncle Sam any place in the book or a picture of the American flag?

Mr. AUGUST H. ANDRESEN. Here are the pictures.

Mr. JENSEN. Does the gentleman find a picture of Uncle Sam in there?

Mr. AUGUST H. ANDRESEN. I am not certain. There are 66 pictures in the publication—all of Mr. Roosevelt.

Mr. JENSEN. It should be noted that the picture of Uncle Sam who we respect very much or at least used to have almost disappeared from all the bulletins and signboards put out by this administration.

Mr. AUGUST H. ANDRESEN. When we read this bill for amendment I think this is something that should receive the consideration of the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, discussing this matter from a serious point of view—and it is only from a serious point of view that we can afford to discuss such vital matters—the book was not issued this year. It was issued last year. It was issued while the Germans were still in north Africa.

It was not issued to the soldiers either in Africa or in the United States. It was distributed to the local civilian population for the purpose of winning their friendship and support, and it worked so effectively that it was undoubtedly one of the factors in winning their friendship and their cooperation in the campaign which drove the Germans out of Africa. If the pamphlet referred to by the gentleman was sent back by a member of the armed forces it was captured or bought from some of the natives, as there was no other source. It was an effective weapon of warfare. It saved the lives of American soldiers, and it assisted us in the organization and maintenance of the campaign in which Allied troops drove Rommel from the last stronghold in north Africa.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, I desire to open my remarks with the statement that when we visited the Office of War Information in New York and saw pamphlets on the wall we were confronted with a pamphlet with a picture of Mr. Dewey, the Governor of New York, which had been sent overseas by the O. W. I. Do not deride these remarks of mine as you did the statement concerning the President of the United States. Some sit here in this deliberative body and ridicule the leadership of the greatest of nations. If that is not something for Hitler to publish, there is nothing that ought to be published in Germany.

I am not proud of what took place here a few minutes ago, and there is not a man in this House who is proud of it now. It cries for shame; shame for belittling the President of the greatest Nation in the world, and the forced laughing at the mention of his name in the Halls of the American Congress. If someone else did it there would be a first-class brawl on the highway, but we are so important to ourselves and so intoxicated with politics at this time that we fail to even stand upon that which is known as decency.

I have here pamphlets that the O. W. I. has sent across the ocean to various countries, printed in many languages; pamphlets concerning which I am proud.

Here is one that shows interest in the youth of America. It pictures a soldier wrapped in his country's cloth and taking in his arms the waif of a foreign land. If you want to ridicule it the privilege is yours. For my part, I hold it high depicting the humanitarian blood that flows in the veins of America.

Here is one that shows the leadership of America. You may be ashamed of it; I am proud of it.

Here is one that shows the making of a ship by the industrial genius of this Nation in 4 days, 15 hours, and 25 minutes. This pamphlet was passed out in many languages in many parts of the world. You may be ashamed of it; I am proud of it.

Here is one that shows the creation of the American bombers that are seeking to restore peace to the world. You may be ashamed of these pamphlets of America that O. W. I. sends across the seas; I am proud of them, and I want the pride that I have for them printed boldly in the CONGRESSIONAL RECORD. I am proud of this pamphlet exemplifying our ships: where they go, what they do, and of the story that will be written in history because of their performance. You may be ashamed of it, but I am proud of it; and I hope that that, too, will be recorded.

I hold in my hand a copy of Signal, a German publication, tearing apart American ideals. We have put out the counter publication—Victory. Perhaps you are proud of these German generals. I am not, but I am proud of the children of the United States of America and this publication depicting child life in America, put out by O. W. I.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. RABAUT. Mr. Chairman, here is a picture of boys in Boy Scout uniforms singing God Bless America. You may be ashamed of it; I am proud of it.

Here is a story relating to the health of our children and the care which we give them. You may be ashamed of it, but I am proud of it.

Here is a boy who glories in the fact that he can play without hindrance, not under the Hitler Youth Movement, but in the freedom of the schoolyard of America. I am proud that that picture can be sent all over the world showing our interest as a nation in our children.

Oh, these pages are pregnant with everyday scenes in America; not pregnant with political chaos, but pregnant with facts and upright dealings of Americans with their own people, by which we seek to tell our story to the world.

Mr. Chairman, I could go on. No one is so unmindful as to be carried away with the type of hatred that has been shown here today making the O. W. I. the annual whipping boy in this body, for the facts will become known to the American people when these publications are brought to their door.

It was the action of this House that prevented domestic distribution and authorized the little sticker upon every one of these pamphlets. The little sticker



reads: "Restricted. This publication is not for distribution in the United States."

Why? Because some were afraid even in these war days—victims of political fear. Afraid that the facts should be known in America of the good will, of the idealism, and of the determination of this country of ours to serve the downtrodden peoples of the world.

Mr. CANNON of Missouri. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. PETERSON].

Mr. PETERSON of Georgia. Mr. Chairman, I am opposed to the item in this bill providing an appropriation of \$500,000 for the Committee on Fair Employment Practice, and I reserve the right to vote against the entire bill if this item is left in the bill. In the first place, there is no legal authority for such a committee. Congress has never authorized such a committee and has never appropriated any funds for such a committee. It is a dangerous procedure for Congress to appropriate money for an agency never authorized by Congress and it is setting a dangerous precedent.

In the next place this so-called Fair Employment Practice Committee is not in fact a fair employment practice committee but rather a committee to discriminate against fair labor practices in favor of special groups and to attempt to enforce upon the people of this country social equality among the white and Negro races and other radical theories that are foreign to the standards and beliefs of the people of this country.

I am submitting for insertion in the RECORD at the close of this address a list of employees of the F. E. P. C. and the salaries they are getting. I understand that over two-thirds of those listed are Negroes. This within itself is rank discrimination, for upon its face it is absurd to talk about fair practices by a committee composed of two-thirds Negroes when Negroes compose only one-tenth of the population of this country. Negro domination of this nature is both unfair and intolerable.

Furthermore, I call attention to memorandum furnished by the Civil Service Commission, which I also have inserted, showing average salaries of F. E. P. C. employees to be \$3,015.40 against average salaries of all Government employees of \$2,000. This cannot by any stretch of the imagination be called fair practice but is rank discrimination.

So it can be seen that this unauthorized committee has been initiated under conditions of rank discrimination and operates without legal authority under conditions that carry with them every element of prejudice and discrimination.

I have had opportunity to investigate some of the activities of this F. E. P. C. group, and I refer you to the hearings held before the Special Committee of the House to Investigate Executive Agencies of the Government. The record clearly shows that they are attempting to run roughshod over established labor practices and in utter disregard of working agreements which have through the years been proven to be satisfactory to employers, employees, and the public. I

call particular attention to the hearings before our committee on complaints filed by employees of the Philadelphia Transportation Co. I call your attention to the fact that it was the employees, the laborers, who filed this complaint in protest of the orders issued by the F. E. P. C. Similar complaints were filed by employees of 14 southern railroads, and by employees of the United States War Shipping Administration, and others. It was clearly demonstrated that the F. E. P. C. is attempting to force upon our people working arrangements among employees which would break down the satisfactory formulas and agreements that have been proven sound and practicable through the years; force the public to accept Negroes in places of tremendous responsibility, such as engineers on passenger trains, cause general dissatisfaction and unrest among both laborers and the public; and, worst of all, make it possible for administrative officers to force upon laborers and workmen a condition of social equality.

During our hearings a witness called attention to the fact that under F. E. P. C. regulations a Negro could have been engineer upon the engine pulling a passenger train which ran into another passenger train on the Atlantic Coast Line Railroad, killing and injuring many passengers several weeks ago. What would have been the public reaction had the trains involved in this wreck been under the operation of Negroes?

This is only one typical illustration of the terrible consequences which can so easily result from some of the foolish ideas this irrational group is trying to put into effect.

Yet here is a proposal to appropriate \$500,000 to this group, who have no legal standing, for them to use in promoting their absurd and dangerous theories, stirring up unrest and bitterness and confusion among our people at a time when we are in the most terrible war in our history and when we should be doing all within our power to keep harmony and unity here at home.

There is no justification for the existence in our Government of any such unfair and discriminatory agency as the Fair Employment Practice Committee and this Congress should not appropriate 1 red penny for the support of any such committee.

There has been much said on the floor of this House and throughout the length and breadth of our country during recent months to the effect that our Federal Government is rapidly being transformed from a government of laws to a government of men. That such a condition prevails and that such thoughts exist among our people can no doubt be attributed to a large degree to the national crisis which confronts our country and to the terrible war which is now raging throughout the length and breadth of the universe.

I think that everyone will agree that under such trying conditions when we are being taxed to the utmost both in manpower and material resources in a titanic struggle against a powerful and aggressive enemy, it is necessary that the people delegate to their duly elected

representatives powers and authority which are extraordinary in nature and beyond anything that the people would think of doing during normal, peaceful times. This has always been true in periods of grave national crisis when our Nation has been engaged in bloody warfare. In fact it appears from the very nature of the office of the President of the United States wherein he is not only the Chief Executive but also the Commander in Chief of our armed forces, that it was contemplated by the founding fathers that such extraordinary powers would be designated to, but not assumed by, him.

It has never been contemplated, however, that those in places of authority should take advantage of extraordinary conditions or use the extraordinary powers granted under these abnormal conditions to create such agencies as the F. E. P. C. or to place into effect theories of government or social and economic doctrines that are either revolutionary in character or foreign to the established principles and practices of our people.

It is, therefore, of greatest importance that those in places of authority under these abnormal conditions remain true and faithful to the ideals and to the political, social and economic philosophies which underlie our civilization and which have long prevailed among our people.

If the vicissitudes of war require to a degree a government of men rather than of laws then the greatest care should be exercised in the selection of the men who are to constitute such a government and who are to direct the affairs of our country during such times, and in providing funds for them.

It is well known that there are groups in this country who do not believe in our American system of free enterprise or our American standards of civilization and who have been preaching and promoting their theories and their doctrines for many years. It is not right nor fair to the American people for men of such beliefs to be placed in key positions in our executive departments or agencies or to take advantage of any official position to which they may have been advanced during this period of grave national emergency to attempt to fasten their beliefs and their doctrines upon this Nation. Neither is it fair to make public funds available to them for these purposes.

Likewise, there are those in this country, as is well known to all of us, who do not believe in the social standards and customs of our civilization and who have been advocating and preaching a communistic doctrine of social equality among the races in this country for many years. It is not right for those of such beliefs to be elevated to positions of authority where they cannot only attempt but do force upon the American public their beliefs and doctrines or compel the individual citizen employed in essential war work to live in a condition of social equality while engaged in such employment. Neither should they be permitted to draw one penny salary from the Public Treasury.



Such official practices not only result in the planting of the seeds of discord and strife which will bear horrible fruits in the years to come, but at the same time strike a note of discord here on the home front. This tends to betray the confidence and trust of the American public and the men fighting in our behalf and to offer a grave stumbling block to our efforts at home to present a united front to our enemies.

I feel it my duty as a Member of this Congress to do everything within my power in support of the war and in preventing discord and dissention here at home, and in my opinion one of the effective ways of doing this is to bring to light any activities on the part of any public officials tending to harass our people and to cause unrest among those engaged in vital war activities and to attempt to keep them off the public pay roll.

There has recently been brought to my attention as a member of the Smith committee, which is investigating the activities of executive agencies, a glaring instance of this very nature, and it is my purpose here now to briefly set out some of the circumstances and to name some of the officials involved.

The particular case which brought this matter to my attention was a complaint filed by a group of laborers employed by the United States Maritime Commission in manning ships which are sailing with vital cargoes on the seven seas. This group of laborers, through the Seamen's International Union, made complaint to our committee that officials who have charge of supplying members of crews for the ships were engaged in a conscious attempt to force seamen to intermingle both in sleeping and eating arrangements on board the ships regardless of race or color. Living quarters on these ships are such that the members of the respective crews have to sleep in adjoining bunks, use the same facilities, live in the same rooms and quarters and eat at the same tables. The conditions were made such as to force the members to commingle in a state of social equality.

The evidence is that it is not necessary to force such conditions upon members of crews in order to supply ample manpower.

There has been set up by Executive order without any legal authorization of any nature whatsoever, a committee known as the Fair Employment Practice Committee. This committee has issued regulations providing that men should be employed without regard to race, color or creed, and these regulations are supposed to be applied by the various Government agencies.

Craig S. Vincent was employed by the War Shipping Administration at a salary of \$7,500 per year. At that time the War Shipping Administration was experiencing no difficulty in providing crews to man the ships and insofar as I have been able to learn was not attempting to enforce the Fair Employment Practice Committee's recommendations where such employment would result in placing mixed crews of whites and Negroes on ships against the wishes of either the operators or the members of

the crews themselves. Mr. Vincent, however, decided that special instructions should be issued by the War Shipping Administration calling for the strict enforcement of these regulations. He was then transferred to the official position as regional director of the recruitment and manning organization of the War Shipping Administration for the entire Atlantic coastal area which included the Port of Savannah, Ga., which I have the honor to represent in Congress. Among his duties is that of furnishing men for the crews of the ships of the War Shipping Administration when called upon to do so. In the course of the hearings upon the complaint filed by the representatives of the seamen to the effect that the checkboarding system of furnishing members of crews was forcing a condition of social equality among the white and Negro members of the crews against their wishes, Mr. Vincent was brought before the committee. In his testimony Mr. Vincent frankly stated that he believed in social equality among the whites and the Negroes. He further stated that he believed that the regulations or instructions which he himself recommended that the Maritime Commission put into effect which resulted in the checkboarding of the crews or the employment of both Negro and white members of the crews irrespective of whether or not such employment brought about a living condition of social equality against the will of the employer or the members of the crews should be enforced.

It is evident that the complaints filed with the committee are the direct result of Mr. Vincent forcing these men who are engaged in this vital and hazardous work of undertaking the manning of the crews of our ships to accept his belief in social equality of whites and blacks irrespective of their own personal views and beliefs.

This was further emphasized by the fact that other officials in this particular branch of the Maritime Commission activities stated before the committee that they made exceptions to the rules and regulations when they deemed it in the interest of the service to do so; thus it can be clearly seen that Mr. Vincent could have made exceptions so as not to force this condition of social equality upon these laborers had he cared to.

A further inquiry into Mr. Vincent's record and background, included a comprehensive personnel report upon him which was made by the Federal Bureau of Investigation which is some 60 pages in length. This report shows him as having belonged at one time or another to a number of organizations which have been defined by the Attorney General of the United States as subversive in nature, including the Washington Committee for Democratic Action, the American League for Peace and Democracy, and the Washington Book Shop.

All of these facts were brought to the attention of Marshall Dimock, Assistant Administrator of the War Shipping Administration, and other high officials of the War Shipping Administration. Mr. Dimock was present at the hearings held by our committee when Mr. Vincent free-

ly admitted on the witness stand that he believes in social equality between the whites and blacks and that he believes that the regulations of the Fair Employment Practice Committee should be rigidly enforced even though such enforcement compels the members of the crews of the ships to live in a condition of social equality against their will.

It was further brought out in the hearing that this man, Vincent, had for a period of several months drawn two salaries for two separate and distinct official positions and that when this was brought to the attention of the proper officials it took the Government approximately 8 months to secure a repayment from him for the amounts due the Government.

Mr. Dimock was later placed on the witness stand and question as to whether or not he believed Vincent should remain in his present position in view of his connection with subversive organizations, his social equality views, and in view of his forcing his social equality views on the laborers engaged in vital war activity.

In the face of all this evidence, Mr. Dimock boldly told the committee that he believed that Vincent should remain in his present position. Mr. Dimock even stated that in his opinion Mr. Vincent had been "stupid" and "naive" in answering questions asked him as to his beliefs of racial, social equality.

In spite of the fact that the checkboarding or intermingling of the members of the crews of the ships on the basis of social equality achieved by means of the activities of Vincent and his subordinates has resulted, according to the testimony of union officials in many labor disturbances aboard the ships of the merchant marine and in some cases to the actual delay of ships carrying vital materials of war.

This is a clear case of an individual given unusual powers and authority during the period of emergency attempting to put into effect social doctrines which have heretofore been entirely foreign to our American standards of civilization, and the man who is doing this has been declared by his superior officer as one of those Government officials considered by his superiors as indispensable. But Mr. Vincent himself admitted before the committee that there are those within his own acquaintance who could fill the job which he now fills.

This is a clear illustration of some of the things that are going on behind the curtain and some of the efforts that are being made by men in places of authority today through the F. E. P. C. to take advantage of the American people and of the men who are fighting the battles of our country, to bring into effect social and economic practices that are not only foreign to the ideals and beliefs of the American people but are destructive of the very heritage which we cherish so greatly and for the preservation which our men are now fighting with all their might.

This condition has been brought by our committee to the attention of the War Shipping Administration, and the evidence given before our committee has



been made available to Mr. Vincent's superior officers.

Marshall Dimock, in defending Mr. Vincent in his beliefs and practices, in my opinion, is accepting and embracing these same beliefs and practices, and is in this manner doing his part toward sowing the seed of disunity and discord among our forces here at home.

Mr. Vincent is to be commended, at least, for being honest and frank in his testimony before our committee, but he should not continue in office. Unfortunately there are many others in places of similar importance who refuse to be so straightforward and who through their very acts of evasion give rise to fears of similar sinister motives.

There is hardly a Member of this

House who has not at one time or another during the recent months found this attitude prevailing among men in high key positions.

The case of Mr. Vincent is only one case that we have been successful in bringing to light and uncovering some of the real schemes that are on foot during these dark days of trouble, wars, and bloodshed.

As I have stated, it is the duty of each of us to keep peace and harmony at home and to preserve here in our own midst the ideals and the concepts of human relations which our men in the fighting forces believe in and expect to find whole and intact when they return from the battlefields. I am, therefore, convinced that men who believe as Mr. Vincent be-

lieves should be immediately removed from the responsible places they hold during this emergency period and be replaced by honest, fearless, efficient American citizens who believe in our American civilization and who believe in the rights of the individuals of this country and who believe in our great system of free government as guaranteed by our Constitution.

Such irrational groups as those composing the so-called Fair Employment Practices Committee should not be tolerated in the administration of our Government.

In my stand on this I believe that I reflect the views of the people I represent as well as the best interests of our country and all our people.

President's Committee on Fair Employment Practice, schedule of personnel, Dec. 27, 1943

Name	Title	Grade	Race	Base pay
<b>Departmental:</b>				
Ross, Malcolm	Chairman	CAF-16	White	\$10,000
Johnson, George M.	Deputy chairman	CAF-14	Colored	6,500
Bourne, St. Clair T.	Information specialist	CAF-9	do	3,200
Wright, Barbara H.	Report reviewer	CAF-7	White	2,600
Alexander, Dorothy E.	Secretary	CAF-7	Colored	2,600
Clifton, N. Jeanne	Clerk stenographer	CAF-5	do	2,000
Brooks, Mary E.	do	CAF-3	do	1,620
Whiting, Margaret B.	do	CAF-3	do	1,620
<b>Administrative:</b>				
Jones, Theodore A.	Administrative officer	CAF-13	do	5,600
Douglas, Lela M.	Chief, mail and files	CAF-5	do	2,000
Foggie, Harriet A.	Clerk-stenographer	CAF-4	do	1,800
Welch, Selena E.	Clerk, file	CAF-3	do	1,620
Hollomon, Irving B.	do	CAF-2	do	1,440
Pinn, S. Pauline	do	CAF-2	do	1,440
House, Marguerite H.	do	CAF-2	Colored	1,440
Holland, Edna E. (Temporary)	do	CAF-2	do	1,440
Gamble, Jessie G.	do	CAF-2	Colored	1,500
Sturdivant, Evelyn	Clerk-stenographer	CAF-3	White	1,620
Mitchell, Regina B.	Clerk, file	CAF-2	Colored	1,440
Vashti, R. Curlin	Clerk-typist	CAF-3	do	1,620
<b>Operations:</b>				
Maslow, Will	Chief, operations (field)	CAF-13	White	5,600
Mitchell, Clarence M.	Associate director	CAF-12	Colored	4,800
Davidson, Eugene	Assistant director	CAF-12	do	4,600
Bloch, Emanuel	Senior fair practice examiner	CAF-12	White	4,600
Metzger, Stanley D.	do	CAF-12	do	4,600
Gregory, Robert H.	do	CAF-11	do	3,800
Houston, Theophilus J.	Assistant fair practice examiner	CAF-7	Colored	2,600
Blanche, Vida G.	Clerk-stenographer	CAF-4	do	1,800
Rogers, Eleanor	do	CAF-3	do	1,620
McMillan, Lucille S.	do	CAF-3	White	1,620
Smith, Delphia	do	CAF-3	Colored	1,620
<b>Review and analysis:</b>				
Davis, John A.	Director, review and analysis	CAF-13	do	5,600
Lawson, Marjorie M.	Associate director	CAF-9	do	3,200
Golightly, Cornelius	Associate compliance analyst	CAF-7	do	2,600
Davis, Joy F.	Report reviewer	CAF-7	do	2,600
Hoffman, Celia B.	Clerk-stenographer	CAF-4	White	1,800
Simmons, Walter L.	do	CAF-3	do	1,620
Hemphill, India W.	Junior professional assistant	CAF-5	Colored	2,000
Coan, Carol	do	CAF-5	White	2,000
Dumas, Joan S.	Clerk-stenographer	CAF-3	Colored	1,620
<b>Consultants:</b>				
Marvin C. Harrison (Term)	Consultant	CAF-14	do	8,000
George E. Hayes (Term)	do	CAF-14	do	8,000
<b>Legal:</b>				
Hubbard, Maceo W.	Hearing examiner	CAF-13	Colored	5,600
Trimble, Ernest G.	do	CAF-13	White	5,600
Crockett, George W., Jr.	do	CAF-13	Colored	5,600
Reeves, Frank D.	Attorney	CAF-9	do	3,200
Bass, Dorothy C.	Clerk-stenographer	CAF-3	do	1,620
Gordon, Jernevieve M.	do	CAF-3	Colored	1,620

REGIONAL OFFICES

<b>New York, N. Y.:</b>				
Lawson, Edward	Regional director	CAF-13	Colored	\$5,600
Jones, Robert	Associate fair practice examiner	CAF-9	do	3,200
Morand, Edward V.	do	CAF-9	White	3,200
Madison Sumner Jones, Jr.	do	CAF-9	Colored	3,200
Risk, Samuel	Assistant fair practice examiner	CAF-9	White	3,200
Souffron, Dennis	Clerk-stenographer	CAF-4	Colored	1,800
Irish, Miriam	do	CAF-4	do	1,800
Ashepa, Tillie	do	CAF-3	White	1,620
Lewis, Alfred Baker	Consultant	Without compensation	do	
Frish, Ephraim	do	do	do	
<b>Philadelphia, Pa.:</b>				
Fleming, G. James	Regional director	CAF-12	Colored	4,600
Manly, Milo A.	Fair practice examiner	CAF-9	do	3,200
Greenblatt, Mildred	do	CAF-11	White	3,800
Gorgas, Helen P.	Clerk-stenographer	CAF-3	do	1,620
Weitzman, Shirley	do	CAF-2	do	1,440
<b>Washington, D. C.:</b>				
Hook, Frank E.	Regional director	CAF-13	do	5,600
Evans, Joseph H.	Fair practice examiner	CAF-12	Colored	4,600
Huggins, Buell D.	Clerk-stenographer	CAF-3	do	1,620
Chisolm, R. J. F.	do	CAF-3	Colored	1,620



President's Committee on Fair Employment Practice, schedule of personnel, Dec. 27, 1943—Continued

## REGIONAL OFFICES—continued

Name	Title	Grade	Race	Base pay
<b>Cleveland, Ohio:</b>				
McKnight, William Thomas	Regional director	CAF-11	Colored	3,800
Clore, Lethia	Associate fair practice examiner	CAF-9	do	3,200
Bressman, Mildred	Clerk-stenographer	CAF-4	White	1,800
Walker, Lillian B	do	CAF-3	Colored	1,620
Nobleman, Bernice	Clerk-typist	CAF-2	do	1,440
King, Hortense M.	do	CAF-2	do	1,440
<b>Detroit, Mich. (sub):</b>				
Swann, Edward McCallan	Fair practice examiner	CAF-10	Colored	3,800
Donovan, Daniel R.	do	CAF-11	White	3,800
McClure, Catherine E.	Clerk-stenographer	CAF-2	do	1,440
<b>Chicago, Ill.:</b>				
Henderson, Elmer W.	Regional director	CAF-12	Colored	4,600
Gibson, Harry H. C.	Fair practice examiner	CAF-9	do	3,200
Schultz, Joy	do	CAF-9	White	3,200
Zeldman, Penny M.	Clerk-stenographer	CAF-3	do	1,620
Bell, Minnie L.	do	CAF-3	Colored	1,620
<b>Atlanta, Ga.:</b>				
Hunt, Bruce	Regional director	CAF-12	White	4,600
Hope, John H.	Fair practice examiner	CAF-9	Colored	3,200
Bunting, Myra	Clerk-stenographer	CAF-4	White	1,800
<b>Kansas City, Mo.:</b>				
Hoglund, Roy A.	Regional director	CAF-12	do	4,600
Brown, Theodore E.	Fair practice examiner	CAF-9	Colored	3,200
Anderson, Clara O.	Clerk-stenographer	CAF-3	White	1,620
Groves, Lonnetta A.	Clerk-typist	CAF-2	Colored	1,440
<b>Dallas, Tex.:</b>				
Brin, Leonard	Regional director	CAF-12	White	4,600
Castenada, Carlos E.	Fair practice examiner	CAF-12	do	4,600
Williams, LeRoy V.	do	CAF-9	Colored	3,200
Guttenhen, Willetta G.	Clerk-stenographer	CAF-3	White	1,620
Dubose, Helen H.	do	CAF-2	do	1,440
<b>San Francisco, Calif.:</b>				
Kingman, Harry	Regional director	CAF-13	White	5,600
Rutledge, Edward	Fair practice examiner	CAF-11	Colored	3,800
Rogers, Jewell E.	Clerk-stenographer	CAF-3	White	1,620
Seymour, Virginia R.	do	CAF-4	do	1,800
<b>Los Angeles, Calif. (sub):</b>				
Brown, Robert E.	Fair practice examiner	CAF-11	Colored	4,000
Burke, Jack B.	do	CAF-11	White	3,800
Calvaruso, Helen	Clerk-stenographer	CAF-4	do	1,800
Vetter, Vera G.	do	CAF-2	do	1,440

Mr. Mitchell, of the Civil Service Commission, advises that the average salaries for United States Government employees are as follows:

Average over-all salaries	\$2,000.00
Average salaries civil-service employees (plus overtime)	1,900.00
Average salaries civil-service employees (without overtime)	1,700.00
Average salaries F. E. P. C. employees (without overtime)	3,015.40

(Mr. PETERSON of Georgia asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. LaFOLLETTE].

Mr. LaFOLLETTE. Mr. Chairman, I had asked for this time about a half hour ago. I had possibly a different purpose in mind. I do not know now whether I can help this situation very much. I am mindful of the position of the first-term man in this body. But I do not believe there is total right, nor has there been total right, on either side of the aisle in many of the debates that I have heard since I have been here. I have tried since I have been here, at the expense of not being understood, to do the things that I thought I had to do, without regard to my personal feeling with reference to the President of the United States or his desire to remain in office for more than two terms. I think it should be remembered that free government and parliamentary institutions depend upon rules and upon principles and not upon men. I said something at Jeffersonville, Ind., on Lincoln's Birthday, on February 12 this year, that I would like to repeat here.

I am worried about this country because it is composed of too many people

who think the President of the United States can do no wrong, and too many people who think the President of the United States can do no right. If you continue to personalize causes in this country you are sowing the seed out of which social disorder and disruption have risen all over the surface of the earth.

If we are to make progress in America this is the body which must make it, or one of the bodies. The Congress of the United States must do it. We have been discussing the Fair Employment Practice Committee. I have introduced a bill to make that organization permanent. I say to you in all candor I think it should be permanent. But until we reach a point where we make these parliamentary institutions, this one and the other one, flexible so that we may put to debate and discussion these questions which are bothering us, then we have to put up with certain Executive orders. As long as we do that we are establishing a principle of Executive order, which I abhor, because our parliamentary bodies are not flexible enough to meet squarely the social and economic issues of our time. So that we rather create the situation, do we not, out of which these issues arise? We cannot avoid them. They are here. I am not unmindful of some of the situations. Why, gentlemen on this side of the aisle, my country was copperhead country in the Civil War. It was almost equally divided. I know something of these problems.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. LaFOLLETTE. I would rather not.

Mr. BROOKS. May I just say to the gentleman, since he has alluded to that,

we are not fighting the Civil War. We are fighting the Second World War. What we want to do is win this World War, and we want to win the war without distrust aid dissatisfaction, and dissension.

Mr. LaFOLLETTE. Mr. Chairman, I decline to yield further.

I am very sorry the gentleman misunderstood me. What I was trying to say to the gentleman is that the people who live in my district are very much like the gentleman's people. They have very much the same prejudices and the same thinking. But I know that we cannot overcome those prejudices unless we face them. We cannot avoid these things unless we meet them. The same way with this question of attempting to personalize progress. May I say to my friends on the right of the aisle, and I think I have a right to say this, do not boast too much about your progressiveness and the things that you have produced, as long as you have to tie all of that progress to the identity of one person. If you have really imbued America with the progressive spirit that I think it needs to be imbued with, you would spend more time selling the principles in which you say you believe than riding in every 4 years on the coattails of one man. Progress will not be made, my friends, in that manner.

(By unanimous consent, Mr. LaFOLLETTE received permission to revise and extend his remarks.)

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. GIBSON].

Mr. GIBSON. Mr. Chairman, it is with deep humiliation and with a strong



spirit of revolt that I had to witness before this body Thursday of this week what is to me one of the most pitiful spectacles that could ever cast a shadow over a body that should hold as sacred its responsibilities to the peoples of the world, and especially of this Nation. It is inconceivable to even remotely presume that such a thing could happen within these Halls while our boys are scattered over the many far-flung and bloody battle fronts of the world, with no voice in the total making over of our Government.

While they are fighting to maintain the stability of a God-given democracy we find ourselves faced with the condition that faces us now.

I gave to this body in a speech on April 14, 1944, the facts about this damnable set-up designated and known as the Fair Employment Practice Committee. I will not at this point go into further detail with regard to its warped and unreasonable organization and dictatorial operations. The philosophy behind this pitiful governmental set-up, which is even too low to be given the loathsome name of a bureau, of course, is of communistic birth, which has no more place in the orderly procedure of American democracy than a jackass in grand opera. Its purpose is to play to the prejudice of both the white and colored races in an effort to generate and magnify hatred between the races for the sole purpose of laying the foundation for a revolt in this country if they are not successful in taking over the Government by what they term "peaceful means." I would like to warn this body that unless there is more courage displayed by the membership of this august body, a real revolt will never be necessary. We are fast slipping into a communistic state, and if this progress is not halted, we shall soon be totally swallowed up by the damnable philosophy of communism.

Mr. ELMER. Will the gentleman yield?

Mr. GIBSON. Yes; I yield.

Mr. ELMER. Who is it that established this policy of communism in this matter you are talking about now?

Mr. GIBSON. If I were to call names, it would be a multitude of about five or six million people, and I do not have time to name all of them.

Mr. ELMER. Did all of the people establish these orders you are talking about?

Mr. GIBSON. I do not think they did.

Mr. ELMER. Who did establish them?

Mr. GIBSON. If you have not kept up with the progress of your Government well enough to know, then I decline to yield further.

Mr. THOMAS of New Jersey. Will the gentleman yield?

Mr. GIBSON. I yield.

Mr. THOMAS of New Jersey. Does the gentleman know the name of the one person who made this order which brought about this Board?

Mr. GIBSON. I will answer that question by asking the gentleman a question. Do you know?

Mr. THOMAS of New Jersey. Yes; I do.

Mr. GIBSON. Why do you ask me, then?

Mr. THOMAS of New Jersey. I just wanted to know if you knew.

Mr. GIBSON. Mr. Chairman, this Committee and its effects transcend any purpose of any person in advocating equality of races. If it were true that there was not but one race in this country, then this committee and its operations would be totally out of place in a democracy. When you have a committee set up in Washington which can go into private business throughout the land and tell employers whom they can employ and whom they cannot, then you have reached heights which Hitler and Mussolini never surpassed.

I would like to bring to the attention of the membership of this House the fact that one Brin, regional director of this Committee in Texas, recently instructed the Dallas Times that it could not, in its want ads, carry an ad of the following substance: "Wanted: Colored man, paper handler to work at night." Such an ad was run by the Dallas Times and this dictator notified them that they could not in the future carry such ads, that they would not be permitted to designate in any ad any color, and the one running the ad must receive and employ those responding without discrimination. When this same bigot was requested to give an interview to the press he declined with the statement, in substance, that he had instructions from Washington that he could not give an interview without first submitting the questions to Washington and getting the answers therefrom. Of course, he had to come to this central pool of power and let an organization of 48, 35 of whom are Negroes, tell him what he could say. I have heard of people not practicing what they preach, but he certainly does. He denies to the press and the public the right of a free press and of free speech and he himself surrenders his right to answer a civil question until a bunch of Negroes in Washington has told him what he can say. In all his power, he is a lion minus his roar.

It is inconceivable to me to see any man stand up and cast his ballot and raise his voice in approval of such a condition in what we have through the ages, with pride, referred to as free America. Could someone please tell me for what our boys are fighting and dying? To come back and see perished and gone the liberties they fought to preserve and a state of anarchy running wild?

There is one thing that the record bears out which I want to bring to the attention of the American public, and I hope it is not forgotten. This appropriation of \$500,000 of the taxpayers' money to continue and expand this un-American, filthy agency designated as the Fair Employment Practice Committee was placed in this bill and put before this body by a member of the Democratic Party. I hope that no citizen of the United States will forget that this thing was dragged in here, and under very questionable circumstances, by a man who belongs to the Democratic Party.

Regardless of the opinion you hold of the committee and the merits or demerits

of this appropriation for its operation, I appeal to my Republican friends to help us vote this portion of the bill down, and all of the bill if it takes that, to get rid of this item, clearly in disapproval and condemnation, if you please, of the means whereby it got into this measure. There are orderly and fair ways to get the issue before the House, and I appeal to both sides of the House to see that if it passes it does so in this manner. There is nothing so meritorious as to justify such means. In fact, if it cannot be passed without being done in this manner, then it should not be passed at all. The end can certainly not justify the means.

When will the time come when men will be men and forget their own political interest when the destiny of their Nation is hanging in the very balance? I say without fear of contradiction, that in the secret recesses of the hearts of the membership of this House, that there are not more than 20 that, as a matter of truth and fact, who actually favor this damnable organization. Is your seat in Congress worth more to you than your Nation?

You boys who fly under the Democratic banner seem to think there is no limit to the abuse the South will endure at your hands, and from past observations I can easily see why you should so think. But let me tell you and this to many from below the Mason and Dixon's line, that if you do not cease to heap insult upon insult on our people, you are going to get the shock of your lives. Our people are about fed up; they have been booted about from pillar to post until they are near the breaking point. If you continue to sow the seeds of bitterness and yield to every whim of minority groups in the North for the sake of their few votes, you may have occasion soon to repent your sins. If this Democratic Party does not begin to sober up it is going to lose its own soul.

I warn the membership of this House, and the populace of this great Commonwealth that there are only two things that are going to save this Nation. One is ballots and the other is bullets. If the ballots of the Members of the House, who have been entrusted with the destiny of the Nation, do not have courage enough to save the Nation, then I ask the people of the United States to think deep enough and have courage enough to save this Nation by their ballots, that it may not have to be saved by bullets.

Mr. CANNON of Missouri. I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, I am sure we all deplore the level that the debate has taken here today. Here in wartime, here with the galleries filled with the men wearing our uniforms, we are engaged in hot debate, with tempers running wild, religion being injected into the debate, and everything that would create disunity rather than the one goal we all seek—unity. What is the reason for this? What brought all this on, and what is the cure for it?

I have here the RECORD for Tuesday, May 23. Here in the last column of the RECORD of that day is a request by the dis-



tinguished chairman of the great and powerful Committee on Appropriations asking unanimous consent to waive all points of order against a tremendous appropriation bill full and replete with controversial issues many of which were not authorized by law.

What happened?

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. COLMER. If the gentleman will permit I prefer to proceed.

Mr. CANNON of Missouri. Just one question: Why did not the gentleman make similar protests on the numerous other occasions I have submitted such requests? Why does he pick out the one request of yesterday?

Mr. COLMER. I may say to the gentleman from Missouri that I have risen as a member of the Committee on Rules in the well of this House and served notice that I was going to try to stop the procedure; and that is the purpose of my being here now, to try to stop that kind of procedure.

Mr. CANNON of Missouri. If the gentleman stops it, he stops a procedure that has been in use for a hundred years.

Mr. COLMER. Permit me to have my 3 minutes; the gentleman has had 2 days in which to state his position; he stated it on yesterday, restated it, and again restated it.

Mr. CANNON of Missouri. But the gentleman has referred to me by name.

Mr. COLMER. I am taking only 3 minutes in which to state my position on the matter.

What happened? At the bottom of the column in which that request was made appears adjournment. Adjournment, at what time? Five o'clock and 28 minutes p. m. Now we know as a matter of practical knowledge that when the business on the Speaker's table is completed we go to our offices and sign mail and attend to our congressional duties.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. COLMER. Pardon me just one moment. I am not charging anything; I do not want to add anything to the temper of this debate; I am merely saying that if that is to be the rule of procedure in this House it ought to be changed, and I for one propose to try to do something about it. Follow that analogy: If the gentleman from Missouri, the chairman of this committee, was within his rights—I am not arguing that; I do think it was bad practice; that is my opinion—but if that was correct practice what could he do? He could come in here when this Congress reconvenes after election, when the Seventy-ninth Congress comes in next January, he could come into the well of this House and ask unanimous consent and no doubt get it to waive points of order against every appropriation bill to come up in the Seventy-ninth Congress. Is that good practice?

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. COLMER. Will the gentleman pardon me, please.

Mr. HARE. For just one observation.

Mr. COLMER. I cannot, of course, resist my friend; I yield.

Mr. HARE. I want the gentleman's judgment on the matter of whether the chairman of the full committee was acting within his rights, because he was not acting as chairman of the full committee but as chairman of a subcommittee and asked to waive points of order against a bill that had not yet been presented to the full committee and therefore could not have been a bill of the Appropriations Committee.

Mr. COLMER. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. COLMER. Mr. Chairman, I wonder if the distinguished chairman of the Committee on Appropriations would yield me 2 more minutes?

Mr. CANNON of Missouri. I yield the gentleman 5 additional minutes.

Mr. COLMER. I thank the gentleman for his generosity.

Mr. Chairman, the gentleman from South Carolina is a member of the Committee on Appropriations; he has the right to say what he pleases about the chairman of his committee. As I said, this evidently is bad practice; it is responsible for all of this debate and this furor and this rumpus that we have had here. Some of us do not, of course, like some of the provisions that they are trying to ram down our throats through this procedure, because we thought we had the parliamentary right to invoke parliamentary procedure. We know, of course, what will happen here today; we have an election in November; we realize how some of these gentlemen who criticize the executive powers and the Executive orders will vote when it comes to a vote on this question. So we had a right to rely upon the legislative parliamentary situation to protect ourselves; but in the stealth of night that was taken away from us. "All right," they say, "why did you not object to the unanimous-consent request?" I will ask any Member why he did not object. He did not object, and I did not object, because we did not know what was in the bill; it never had been written at that time, and if it had been written, bear in mind that this great Committee on Appropriations is the one committee in this House that conducts its sessions in secret. There was no opportunity to object.

Mr. CANNON of Missouri. Surely; will the gentleman yield?

Mr. COLMER. As was pointed out on the floor yesterday, and the gentleman from Missouri himself admitted that they were executive sessions, and he could not tell what went on.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I must certainly yield to my generous friend.

Mr. CANNON of Missouri. The Ways and Means Committee never releases its bills until reported.

Mr. COLMER. I believe we can settle this if the gentleman can answer one question for me.

Mr. CANNON of Missouri. It is a practice we have followed for at least a hundred years.

Mr. COLMER. If the gentleman would just answer one question that

would be all that is necessary. The hearings and proceedings conducted in the Committee on Appropriations are not made public until after the bill is reported to the House; is that correct?

Mr. CANNON of Missouri. Certainly, but the gentleman was asking about another committee which follows the same custom and in reply I name the Ways and Means Committee. Anybody who knows the rules at all knows it has been the rule from time immemorial, from a time when the memory of man runneth not to the contrary.

Mr. COLMER. This House ought to do something about it. It may hurt somebody from my State or somebody else's State this time; it may hurt your State the next time. The chickens will surely come home to roost. If you permit this kind of practice to continue you might just as well bear that fact in mind.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. COLMER. Of course, I yield to my good neighbor.

Mr. RANKIN. I just want to say to the gentleman from Mississippi that if they continue this crazy F. E. P. C. there may be no country to hurt.

Mr. COLMER. I, of course, am opposed to some of these things but I still am trying not to add anything to the furor of the debate. I merely want to say, Mr. Chairman, that I believe the practice and the procedure of the House ought to be changed. As a member of the Committee on Rules I propose to try to do something about that. I want to see the rights and privileges of the Members of this House protected, and there is nobody who can justify the procedure that has been had in the handling of this matter. It is reprehensible.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. GOSSETT].

Mr. GOSSETT. Mr. Chairman, I want to corroborate what my colleague has said about this Fair Employment Practice Committee. I happened to be at home when this outrageous unjustifiable directive from the regional director of F. E. P. C. was issued to the Dallas morning newspapers, that they could not mention the color of an employee whom they seek.

The next step of such radical, communistic interference with private enterprise would be to say to the person who advertises for an employee that, "You must accept the first one who calls." Bear in mind this advertisement sought a colored employee. The regional director insists that that was a discrimination against white employees. Many people down in our part of the country prefer colored maids. The next step in line with this policy is this: You advertise for a maid. You cannot specify whether you want a white or colored maid. Suppose a white maid shows up at your home and she possesses all of the qualifications except as to color. Then you have got to hire her. If you do not hire the white maid then you



have violated the policies laid down by this F. E. P. C. I submit to you such a thing would not take place in communistic Russia. I doubt that Hitler would issue such an edict to the people in the Reich. I say to you we should call a halt to such practices. The F. E. P. C. promotes unfair practices, it breeds discrimination, it stirs up trouble, it constitutes a menace to democracy.

Mr. Chairman, I have here a telegram received from the distinguished chairman of the Committee on the Judiciary of the House, now in Dallas, Tex., which reads as follows:

I have just come in contact with one of the activities of the Committee on Fair Employment Practice and the result of its hurtful interferences in the affairs of this community.

The Dallas Morning News, engaged in the ordinary activities of publishing a newspaper, printed in its paper recently this advertisement: "Wanted colored man to work at night as paper handler. Essential industry."

The paper received a letter from the regional director here with regard to this advertisement from which I quote:

"The Committee on Fair Employment Practice, operating under Executive Order No. 9346, a copy of which is attached, considers that such advertisement is a violation of the order. It limits applications to a narrow field described in the advertisement, and automatically bars persons of other race or color from applying, even though these latter may also possess skill needed for your establishment. You are therefore requested to take immediate steps to remove from this and from any other advertisement for employees any features which are discriminatory as to race, creed, color, and nationality. You are further requested to advise your personnel office or hiring agent that they should disregard such specifications in considering applications for employment. This includes the United States Employment Service."

Other employers have been similarly directed. Many of them have complied under apprehension of adverse governmental action should they refuse.

The confusion, accumulating resentment, inconvenience to people seeking employment, and interracial irritation from the activities of this agency has become a most serious matter. Pair me against continuing appropriation for this activity.

HATTON W. SUMNERS.

Mr. Chairman, if this is a democratic country, then we will strike from this appropriation bill any money whatsoever for any such outfit. We must get rid of such ridiculous bureaucratic meddling with the reasonable and orderly proceedings of legitimate business.

Mr. BECKWORTH. Will the gentleman yield?

Mr. GOSSETT. I yield to the gentleman from Texas.

Mr. BECKWORTH. I concur in all my colleague the gentleman from Texas [Mr. GOSSETT] has said, and all my colleague the gentleman from Texas [Mr. SUMNERS] has stated in his telegram. I am very much opposed to the item in this bill which would make money available to the Committee on Fair Employment Practice. This Committee is causing in time of war much friction and disunity by its unwise and senseless acts. No men have worked harder and done a better job than our railroad employees; this Committee has them disturbed; by all means, this Congress should abolish the Committee; I am opposed to its existence.

Mr. GOSSETT. I thank the gentleman for his contribution.

(Mr. GOSSETT asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. CANNON of Missouri. Mr. Chairman, I ask that the Clerk read the bill for amendment.

The Clerk read as follows:

#### COMMITTEE ON FAIR EMPLOYMENT PRACTICE

For all expenses necessary to enable the Committee on Fair Employment Practice to carry out the functions vested in it by Executive Orders Nos. 8802 and 9346, including salary of a Chairman at not to exceed \$10,000 per annum, and six other members at not to exceed \$25 per diem when actually engaged; travel expenses (not to exceed \$63,-800); expenses of witnesses in attendance at committee hearings, when necessary; printing and binding (not to exceed \$4,800); purchase of newspapers and periodicals (not to exceed \$500); and the temporary employment of persons, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws (not to exceed \$8,900); \$500,000.

Mr. TARVER. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. TARVER: Page 9, strike out lines 11 to 24, inclusive.

Mr. TARVER. Mr. Chairman, as I advised the House during general debate, I offer this amendment for the purpose of giving the Committee of the Whole an opportunity to vote on the question of whether they will eliminate from this bill the proposed appropriation for the Fair Employment Practice Committee. So far in the general debate, and I have endeavored to listen to all of the speakers, no member of the Committee of the Whole has undertaken to say one word in defense of the Fair Employment Practice Committee, unless the interruption of speakers by the gentleman from New York [Mr. MARCANTONIO] could be construed as a defense or unless the speech made by the gentleman from Indiana [Mr. LaFOLLETTE] could be so construed. The gentleman from Indiana [Mr. LaFOLLETTE] for whom I have profound respect, indicated in his remarks that he has introduced a bill proposing to legalize the Fair Employment Practice Committee and he also indicated that while he recognized by the introduction of the bill that that committee and its activities are not authorized by law he feels that under the circumstances now existing the Congress should proceed to appropriate money for this unauthorized activity notwithstanding lack of legal authority so to do. I do not agree with him and I hope you will not agree with him. It is uncontroverted here, I think, that this is an organization which is contributing greatly to lack of unity, to disunity on the part of the American people. It is an organization which is not operating in accordance with law because despite the assurances of the gentleman from Missouri [Mr. CANNON] it is perfectly clear to any lawyer who has given any study to the proposition at all that there is no statute on the books which authorizes appropriations to this activity.

The question is, Are you—after complaining, as many of you have done, espe-

cially on the Republican side of the House, about the appropriation of money for activities not authorized by law—you who have complained about the setting up of bureaucracies in the Government, the carrying on of activities with which the majority of the American people are not in accord, the waste of public money along these lines; are you, because of your desire not to go on record on a question as to which your attitude might be offensive to the Negroes up in Philadelphia, New York, Pittsburgh, and Chicago—are you Republican Members of the House going to rise against this amendment which I have offered and refuse to strike this illegal appropriation from the bill?

You will recall that when the agricultural appropriation bill was up, when the school-lunch program and the Farm Security Administration appropriations were involved, which were not authorized by law, we left them out of the bill. We did not undertake to have the House insert them in the bill despite the lack of legal authorization, and when the Senate inserted them by amendment we postponed action on the conference report. We are continuing in conference with the Senate now, awaiting the coming before this House of the conference report on the Pace bill which proposes to authorize the school-lunch program and the Farm Security Administration, in order that this House may have an opportunity first to say whether it will legislatively authorize making such appropriations before we undertake to come in and suggest that money be appropriated out of the Public Treasury for these purposes. Why should not the same procedure be followed here? The Committee on Labor is considering this matter. Why not wait until it brings in a bill and then vote on the question of whether you want to authorize this activity or not before you undertake to appropriate money for it?

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. The gentleman has made a very able presentation and it is very convincing. I think under the circumstances the amendment should be adopted. I surely hope the House will adopt this amendment and bring this question up in a different way if at all.

Mr. TARVER. I thank the gentleman for his contribution. I feel that if the Members of this House will vote according to the dictates of their consciences—and I am not intimating that any Members would not do that—they will vote for this amendment and will strike this unauthorized appropriation from the bill. Certainly, no Member can undertake to get on this floor—or has so far undertaken to get on the floor—and point out where one single item of benefit has been derived by anybody in the war effort from the moneys which have been expended for this purpose heretofore. Even if these activities were authorized by law, since it is undoubtedly the fact that they produce no benefit, and since the activity is contributing to



disunity rather than unity, it ought to be eliminated and no money appropriated for it.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Does the gentleman recall where any agency has been established by Executive order, either in peace or under the War Powers Act, that it has ever been held by this House that it was an authorization for an appropriation without legislation to that effect?

Mr. TARVER. Not only that, but I understand the independent offices bill contains a proposal, inserted in the Senate, to bar the expenditure of moneys appropriated to the President's emergency fund, or in any other way, for activities for which the Congress has not specifically made appropriation or established legislative authorization after a period of time following their establishment by Executive order. It is understood that that bar, if adopted by the Congress, will eliminate the activities of the Committee on Fair Employment Practice unless you make this appropriation.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. VORYS of Ohio. Mr. Chairman, I rise in opposition to the amendment.

(Mr. VORYS of Ohio asked and was given permission to revise and extend his remarks in the Record.)

Mr. VORYS of Ohio. Mr. Chairman, I am one of those who are opposed to appropriations for purposes not authorized by law, but since the discussion of this particular section on fair-employment practices began, I have been looking into the books a little bit.

I find that under the fourteenth amendment there is a requirement that no State shall "deny to any person the equal protection of the laws." Section 5 of that amendment provides that Congress shall have power to enforce the provisions of this article.

On May 31, 1870—74 years ago—the first one of the civil rights statutes was passed. Let me read it to you:

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other (8 U. S. C., sec. 41).

This 74-year-old law is very broad. It guarantees equal security under the law, for all races, and would bar almost every conceivable form of economic racial discrimination.

I find since 1933 that the Congress has enacted for relief, public works, and other provisions, 24 different requirements forbidding discrimination because of race, color, or creed. I find that since the national-defense program started, Congress has enacted, for instance, in the Selective Service Act, and I quote:

There shall be no discrimination against any person on account of race or color—

September 16, 1940.

In the defense public-works appropriation, June 23, 1941, was the requirement:

Public works shall be provided on the basis of need and in determining need no discrimination shall be made on account of race, creed, or color.

During the war period there has been a provision for training of defense workers. I quote:

No trainee under the appropriations provided for \* \* \* shall be discriminated against because of sex, race, or color.

We enacted this October 9, 1940, and again on July 1, 1941, and again in 1942.

The Congress would not have provided for training defense workers without discrimination as to color if they had not expected those defense workers to be hired after they were trained without discrimination under the general laws for war contracts that Congress enacted.

Thus the Executive had and has, I submit, the duty, the obligation of executing the laws that Congress has enacted under the constitutional provisions of the fourteenth amendment.

The Executive could point out these laws to all of the agencies and authorize and direct them to prevent discrimination, but instead of that the Executive has appointed one committee, without any coercive power, with only persuasive power, to enforce these provisions. There may have been abuses of that power. There may be places where this committee is not functioning properly, but from the records of the hearings I find that the result is that at the present time only about 7 percent of Negroes are employed in war industries, although the population figure is about 10 percent. I find that in only two cases have they taken the most drastic action the committee can take, and that was to refer the matter to the Chief Executive. They say that all they are doing is to make sure that war contractors carry out an antidiscrimination provision in war contracts, which the Executive has the right, and probably the duty to insert, to carry out the fourteenth amendment as implemented repeatedly by Congress.

If we want to look into this thing on its merits, this would be one instance where the Executive is executing laws which the Congress itself has enacted over a period of 74 years; 24 of these laws in the last 10 years and a great many of them in the past few years during the war emergency period. Therefore, I cannot see where this argument comes from that there is no authorization in law for the work of the F. E. P. C. This is simply an appropriation to see to the carrying out of laws we have made. Laws against discrimination do little good on the books. To be effective, they must be carried out in action. That is what this committee is for. In my judgment this is not comparable to a number of other agencies that have sprung up without any authority in law. If this agency is abusing its powers we should limit it, but not destroy it.

This matter of racial discrimination is no easy matter to handle. We cannot change human nature by law. We cannot, by law or by Federal agencies, force people to like to work with people they

do not like. We have the power, however, to take steps to persuade people who receive Government contracts from acts of racial discrimination in the employment of people to carry out those contracts and, in this way, to give many members of minority groups a chance to show to their employers and to their fellow workers their worth as individual workers. I am not in favor of, or against, certain races. I think every American, regardless of his race, color, or creed, should get a chance to be considered according to his individual worth. This is what we are trying to accomplish in carrying forward the work of the F. E. P. C.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. TABER rose.

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. TABER. Mr. Chairman, I want to see if we cannot get an agreement on closing debate on this amendment. How would 30 minutes do?

Mr. BROOKS. I object, Mr. Chairman.

Mr. TARVER. I hope the gentleman will withhold his objection for a moment. May we not call the attention of the Members to the fact that we are attempting to close debate, and let all who want to be heard rise, and then set a time for closing debate?

Mr. TABER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 1 hour.

Mr. TARVER. Will not the gentleman make that an hour and 30 minutes?

Mr. TABER. I think we have had a good deal of debate. An hour will allow 4 minutes apiece for each Member who is now standing seeking recognition. That would seem to be a fair allotment of time.

Mr. TARVER. Mr. Chairman, I move as a substitute for the motion of the gentleman from New York that the time be fixed at 1 hour and 30 minutes, to be equally divided between the gentlemen who have risen.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Georgia, that debate on this amendment and all amendments thereto close in 1 hour and 30 minutes.

The substitute motion was rejected.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York that debate on this amendment and all amendments thereto close in not to exceed 1 hour.

The motion was agreed to.

Mr. TARVER. Mr. Chairman, it is already 5 o'clock. I move that the Committee do now rise. Let us see whether or not the gentlemen would not rather return tomorrow and finish this matter then.

The CHAIRMAN. The question is on the motion offered by the gentleman from Georgia.

The question was taken and; the Chair being in doubt, the Committee divided; and there were—ayes 56, noes 99.

So the motion was rejected.

[Mr. RIZLEY addressed the Committee. His remarks will appear hereafter in the Appendix.]



The CHAIRMAN. The gentleman from South Carolina [Mr. HARE] is recognized.

Mr. HARE. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Georgia, but before addressing myself to the matters involved I want to register my protest against the parliamentary procedure adopted to bring this bill with this provision before the House for consideration. It was shown here yesterday that the chairman of the Appropriations Committee obtained your unanimous consent last Tuesday to bring up this bill for consideration yesterday, but I want it clearly understood that this unanimous request was not made by the gentleman from Missouri as chairman of the full Committee on Appropriations, but it was made as chairman of a subcommittee because the bill at that time had never been submitted to the full committee and while the bill may have been prepared by the subcommittee there was really no bill at that time to submit by the Appropriations Committee. The chairman of the subcommittee, therefore, had not and could not have been given authority to make the request in behalf of the full committee. It did not show proper consideration of the other members of the committee or the membership of this House. I want to insist that the procedure should never be resorted to again in this body.

Mr. Chairman, we all know that the program involved in this appropriation was inaugurated without the knowledge or consent of the legislative representatives of this country, but we know further that we are now being called upon to endorse it and ratify the actions of this agency to appropriate \$500,000 to continue its operations for 1 year. I happen to be 1 of the 11 members of the Appropriations Committee who protested against its inclusion and voted for its elimination a few days ago when I stated as clearly as I could my objections to the proposal and now I welcome an opportunity to state as definitely and as clearly as I can within the time allotted some of the reasons I am going to support the motion to eliminate this item.

In the first place, the program was predicated upon the theory that in order to promote unity of purpose and action in our war effort and war production program there should be no discrimination in the employment of persons engaged in the program on account of race, creed, or color. As a matter of fact, those who sponsored the program and those who have been in charge of its administration have shown conclusively that they were not interested in preventing discrimination against persons on account of race, creed, or color, but their main objective was to secure authority and power to demand discrimination in behalf of such persons and this conclusion is based upon the hearings and unsolicited evidence submitted from time to time.

I think it is common knowledge that the F. E. P. C. has demanded and succeeded in having many positions in many or practically all of the Government agencies here in Washington filled with persons who are not qualified to do the

work to which they have been assigned, and the appointments are due wholly to the fact that they happen to be colored or happen to have a particular creed. There is not an agency that has come before the various subcommittees for appropriations but what has admitted there has been an unprecedented turn-over in the personnel and that the qualifications of their personnel is now far below that demonstrated at any time in our history. One of the witnesses before my committee some time ago testified there were a large number of colored people employed in his agency and that in his judgment the average training of these persons would not exceed that obtained in the fourth or fifth grade of our public schools, and this gentleman did not come from one of the Southern States, where we have a large percentage of colored people. Another gentleman testified off the record that the policy adopted under the F. E. P. C. had actually retarded the work of his agency for he said it took more time for the efficient clerks in his office to correct the errors and mistakes of such inefficient employees than it would have taken them to do the work in the beginning. Now if these witnesses are to be believed, the only conclusion I can reach is that these people would never have been employed if the F. E. P. C. had not insisted and, in fact, directed that there should be discrimination in favor of appointing these people instead of appointing more capable and efficient white persons in their place.

It is not a discrimination for or against anyone for the Government to undertake to select the most capable and most efficient persons available for its work. In fact, the Congress many years ago created an agency, the Civil Service Commission, and charged it with the duty and responsibility to adopt plans and methods for use in securing for employment in the Government service the most capable and efficient persons available, but simply because there was not a sufficient number of colored people to qualify for these positions under an established rule to satisfy the egotism or the desire for social equality, the promoters of this agency have taken advantage of the war situation to have the President exercise what they thought was his right and authority to set up an agency to displace the Civil Service Commission and thwart the purposes of Congress in an effort to secure efficient governmental administration and attempt to clothe this agency with authority and power to supercede the rights and authorities of the Civil Service Commission and compel Government agencies to employ people not qualified for the work simply upon the ground that such person had been discriminated against on account of race, creed, or color. Now for the Congress to permit a continuation of such a policy or program is a reflection upon its announced purposes heretofore when it insisted that Government agencies should be required, in making appointments, to secure persons who could render the greatest amount of efficient services for the compensation paid.

In further support of my contention that this agency is not trying to protect

persons "against" discrimination on account of race, creed, or color, but is engaged primarily in insisting upon discrimination in "favor" of such persons, I want to quote from the hearings before the subcommittee to which I have referred but do not happen to be a member. The quotation is found on page 528 of volume II of the hearings where the Chairman of the F. E. P. C. is testifying and says by way of illustration of the work and functions of his agency as follows:

Again, Latin-American workers in an aircraft plant are being kept at work below their capacities. Their complaint to F. E. P. C. leads to an interview with the employer who concedes the injustice and upgrades the workers. This is direct F. E. P. C. action.

Certainly it is direct action and it is action upon direction. The Latin-American workers were upgraded at the "direction" of the F. E. P. C., which I call discrimination in favor of a race. I have on my desk this morning a complaint from a white man in my district saying that he worked at the Charleston Navy Yard this last spring for 3 months or longer and had to retire because of a refusal to upgrade him, but if he had been a Latin-American or a man of color he would have been upgraded. The discrimination would have been in his favor.

Another illustration, and I quote from the Chairman of the F. E. P. C., Mr. Ross, as follows:

Or again, a Negro worker complains to the War Manpower Commission that a completed training course ended with white trainees assigned as welders and himself at the end of a broom. War Manpower Commission, which holds no specific authority to investigate complaints of discrimination filed with it, attempts unsuccessfully to have this needed and available worker placed at his proper skill, then turns the case over to F. E. P. C.

Why was it turned over to F. E. P. C. if it were not for the purpose of having the F. E. P. C. exercise authority claimed under an Executive order to direct this Negro worker to be given employment equal to others or similar to others irrespective of his fitness or qualifications? In fact, the work of this agency is really retarding the work of our war program, particularly in the administrative agencies of the Government by insisting and directing that persons be employed simply because they happen to belong to a particular race or color.

There has not been one single argument submitted here today or yesterday that will refute my conclusions or justify this appropriation and I insist that if we want to promote our war program and be fair and just to the taxpayers of this country we should adopt the amendment offered by the gentleman from Georgia.

(By unanimous consent, Mr. HARE received permission to revise and extend his remarks.)

The CHAIRMAN. The gentleman from Louisiana [Mr. Brooks] is recognized.

Mr. BROOKS. Mr. Chairman, I want to register my most emphatic protest



against the Committee on Fair Employment Practice.

Mr. Chairman, the Committee on Fair Employment Practice has created confusion, discord, and dissension in the South. It has done this in many ways and has tremendously impeded the war effort. Its recent decision about the 12 southern railways is an outstanding example of what I speak. I was at home several months ago when news of this decision reached the country; and I talked to many railway men who were much concerned about its effect upon the transportation system of the country. Men who had railroaded for years understood that this decision would do away with their seniority rights which had been built up by the blood, sweat, and toil of railway workmen over many years of time. Others with less seniority were informed that there would be more outside interference and official meddling with the resulting deterioration in railway performance and service to the Nation during the critical period of this war. We cannot have meddling in our railway management and employment during this period. The Nation cannot afford to experience a breakdown in its transportation system. We cannot continue to have bureaucratic intermeddling in industry of this committee.

Mr. Chairman, this committee has done nothing good. The expenditure of \$500,000 of public money for this purpose cannot help the war effort and is purely and simply a waste of money. I am against this appropriation as being hurtful to the war effort, and I condemn official interference from Washington in the racial situation in the South.

Mr. Chairman, I do not believe ordinarily in indulging in postmortems; but I feel that a practice which is most unfortunate has grown up in this House. It is the practice of reporting bills to the House of Representatives on the very day they are to be debated and voted and before they have been studied by the House of Representatives. In this particular instance, I was anxious to find out what was being placed in this appropriation bill. Several days before it came to the floor, I discussed the matter with other Members who were ignorant of what was expected to be in the bill. I asked the chairman of this committee the day before the bill came to the floor for a copy of it or for some idea of its contents. This was refused. A \$1,000,000 appropriation bill not completed and not available for study by Congress the night before it comes to the floor for debate! This is a most unfortunate practice which does not reflect credit upon Congress and I am certain will not meet with the approval of the country. I hope the Rules Committee will make suitable changes in our rules. Mr. Chairman, I want to speak most emphatically against the Fair Labor Practice Committee. In this bill is an appropriation for \$500,000 for this committee. This appropriation is placed in this bill in spite of the fact that Congress has never approved this committee and has never authorized its creation. It is created by

Executive order. It does not have the approval or legislative sanction of Congress.

Mr. BECKWORTH. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. BECKWORTH. Is it not true in our particular locality it brought about probably more disunity than any other one thing?

Mr. BROOKS. I think so.

(By unanimous consent, Mr. BROOKS received permission to revise and extend his remarks.)

The CHAIRMAN. The time of the gentleman has expired.

Mr. KLEBERG. Mr. Chairman, it is not my purpose to reiterate any of the things that have been said thus far in this debate. But I would like to call your attention to the fact that for a long time, 160 years, this Nation got along under a government of law. Now, even the procedure under which the law has been made in the past is undergoing rapine and being ravaged. As a matter of fact, Mr. Chairman, I have lots of friends among all of the varied races that make up this country. It does not require this particular committee to keep me on the basis whereby I will continue to give them a square deal, both as a Member of Congress and as a citizen. I have considerable pride in my kinfolk, Mr. Chairman, as I know all of you do in this committee, and my purpose in rising in support of this amendment is that it is a step in the direction of keeping one of my most beloved relatives, the most loved of all of them—Uncle Sam—still with gray whiskers. I do not want them painted pink. I do not want to have those whiskers shaved off, Mr. Chairman, and when remarks are directed to Democrats and to Republicans as such, in my earnest opinion, there can be no man regardless of his party affiliations who can take offense at the statement that this amendment is purely an amendment to continue the American system of law whereby the laws are written by representatives of the people and whereby the various agencies of government have funds appropriated for their activities under the regular order and procedure, and not by Executive order. I shall vote to support this amendment looking toward continuation of the system which has made this Nation great.

The CHAIRMAN. The gentleman from Mississippi [Mr. WHITTINGTON] is recognized.

Mr. WHITTINGTON. Mr. Chairman, the appropriation under consideration involves an appropriation without authorization by law. The only authorization that has been attempted to be cited thus far is the contention of the gentleman from Ohio [Mr. VOYSE] that if a proposal is not in conflict with laws that may be passed under the Constitution of the United States, an appropriation is authorized if an Executive order provides for it, although there is no statute authorizing the appropriation. If we can dignify that contention by argument, there would be no occasion for any laws whatsoever. All appropriations could be made under the edict, fiat, and orders of the Executive. I challenge any

Member of this body to produce any precedent or any rule that justifies an appropriation under an Executive order of the President, made either in peacetime or wartime, under the War Powers Act, or under his authority as Commander in Chief of the Army and the Navy. There is no such rule, precedent, or authority. There can be no such authority. Under the section that we are considering, appropriation is made for carrying out the functions under Executive Order No. 8802, as amended by Executive Order No. 9346. The first was issued on June 25, 1941, long before Pearl Harbor. The second was issued on May 2, 1944. This is the first time that Congress has been asked to make an appropriation for this purpose. This agency was established by the Chief Executive and it has been financed out of emergency funds allocated to him for the prosecution of the war.

The Executive has been criticized for usurping authority, on both sides of the aisle. If there be no authority for an appropriation under an Executive order, it is time for the Congress of the United States to say so in no uncertain terms, or forever hereafter cease complaining about usurpation of authority not conferred by the Constitution or the laws of the country.

I favor the amendment to strike this appropriation because there is no authority of law for the appropriation. An Executive order is not the equivalent of a statute carrying such authority. Moreover, I oppose the appropriation on the merits of the question. The Committee on Fair Employment Practice is hindering the war effort and is rendering a distinct disservice to the country.

I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FISHER. Mr. Chairman, I rise in support of the Tarver amendment which, if adopted, will strike from the pending bill an item of \$500,000 for the Fair Employment Practice Committee.

This bureau was created by Executive order a year ago and has never been authorized by any act of Congress. During the past year a total of \$432,525 has been expended by the F. E. P. C. That money was never authorized by any act of Congress to be spent for that purpose. It was paid out of the President's emergency fund.

Therefore, this Congress now for the first time has the opportunity to vote on the subject.

Mr. Chairman, there are many reasons why I am opposed to the F. E. P. C., but in my limited time I shall mention but two or three of them.

In the first place, we are in a war, and there is ample evidence to show that the F. E. P. C. has proven to be an instrument that arouses racial feeling and disunity at a time when we can least afford it.

In the second place, I cannot believe for a moment that any Member can read the hearings on this item and not conclude the F. E. P. C. is wholly unnecessary. Its activities are duplicated by the



War Manpower Commission, as anyone can see by turning to page 539 of the printed hearings on this bill.

In the third place, Mr. Chairman, I am committed to a policy of reducing—not increasing—the number of unnecessary bureaus, and I am also committed to opposition to nonessential Government expenditures during wartime.

Therefore, it follows that I shall vote for the Tarver amendment and in favor of killing this useless bureau.

The CHAIRMAN. The time of the gentleman from Texas has expired.

[Mr. RANKIN addressed the Committee. His remarks will appear hereafter in the Appendix.]

The CHAIRMAN. The gentleman from South Carolina [Mr. RIVERS] is recognized for 3 minutes.

Mr. RIVERS. Mr. Chairman, I have not raised my voice on this question or many questions recently. I am coming to you today not as a Democrat, not as a Republican, but the same as you, an American. It so happens I live in the South, and God knows I want each of you to know that I have no resentment to any of you. This is my country and this is your country. As I said here some time ago, whenever somebody pricks my skin it might hurt you; I have the same feelings and the same inherent characteristics. You cannot kick me without sometime it might hurt you. My prosperity is contingent upon yours, and your prosperity is contingent upon mine. Nobody in this Nation has a pipe line on unity or patriotism, nobody has that market cornered.

The people in my part of the world resent the stigma that some of these contemptible bureaucrats are heaping upon our defenseless shoulders. They have marched our sons off to war and they come in with the strong arm of bureaucracy and try to destroy us. I am astonished at this most terrible spectacle, the utter humiliation of my country by my own party's committee, being a party to this insidious tragic episode. And so I come to you as an American asking you as another American for God's sake to help us. My party I think has sold me down the river and there is not much I can do alone, but I appeal to you: Let us stop this F. E. P. C. If we do not, gentlemen, I say with every ounce of sincerity within me there is going to be bloodshed in my part of the world the like of which has never happened before in the history of this country. This thing is the embarking on a program of destruction and it is bound to come if you do not stop it. Give us a hand; we need it.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

The gentleman from New York [Mr. MARCANTONIO] is recognized for 3 minutes.

Mr. MARCANTONIO. Mr. Chairman, the record of this debate will demonstrate that the opponents of F. E. P. C. have not dealt with the facts. They have refused to discuss the record of F. E. P. C. They have refused to discuss the fact that F. E. P. C. has handled 2,200 cases and they have failed to tell you

what the record is in connection with these cases. They have failed to tell you of the excellent record F. E. P. C. made in these cases. They have failed to reveal what exists in the hearings and they have failed to tell you that F. E. P. C. has at all times exclusively concerned itself with one problem and one problem alone, and that is the problem of discrimination in employment because of race, color, or creed. That issue they have dodged; they have dodged it deliberately because they dared not discuss that issue. They have raised here false issues, and let me say to the Members who have been arguing against F. E. P. C. on the ground that there is no authorization, that they would vote against F. E. P. C. if there was authorization a million times. You would never support it, no matter how valid the authorization. And why will you not support it? Is it because F. E. P. C. has not been legislated into existence? Oh, no; that is not the real reason.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield to me?

Mr. MARCANTONIO. I have only 3 minutes.

The real reason is because you want to perpetuate a Hitlerite concept of race supremacy in this country; that is the real reason. However, you will not successfully be able to resist the march of progress. You speak about revolution. The record so far will show that insurrectionary language was used by the opponents of F. E. P. C. One Member threatened that Negroes would walk the streets jobless if F. E. P. C. were continued. Another opponent of F. E. P. C. had the temerity to stand in the well of this House and say that if the ballots failed they would resort to bullets. Just what is revolutionary? F. E. P. C. or its enemies? It is the first time I have heard language as extremely insurrectionary on the floor of this House, and it came from the opponents of this measure.

Mr. Chairman, this F. E. P. C. is carrying out war purposes. Your railroads were not delivering the goods on time, not delivering men on time because of lack of manpower and yet they refused to upgrade highly skilled Negroes who are so essential to the delivery of goods and soldiers to their destinations. The fundamental issue involved here is the principle of the equality of man, the very foundation of our Nation. You oppose F. E. P. C. for one reason and one reason alone, the very same reason that the Emancipation Proclamation was opposed in these United States. F. E. P. C. is a continuation of the Emancipation Proclamation; it is democracy in action, the democracy for which men are fighting and dying everywhere in this world.

The CHAIRMAN. The time of the gentleman from New York has expired.

The gentleman from Indiana [Mr. LUDLOW] is recognized for 3 minutes.

[Mr. LUDLOW asked and was given permission to revise and extend his own remarks.]

Mr. LUDLOW. Mr. Chairman, we have had a deluge of oratory on the Fair Practice Committee today. Blood pressures have been running high. Let us look at the facts calmly and dispassionately.

I do not believe that any fair-minded person can carefully read the hearings on the fair employment practices estimate without reaching the conclusion that during the brief 8 months of the existence of this activity it has made a real contribution to the national welfare and to the cause of the United Nations in two directions, first, in the direction of the national unity that is so essential to winning the war, and, second, in the direction of uncovering and utilizing reserves of manpower so much needed in our all-out war production.

The facts speak for themselves. Some of the salient facts in regard to the operation of this agency and the success it has had in settling racial disputes and removing the barriers to the utmost utilization of manpower are set forth in the hearings from page 526 on. The Federal Employment Practice Committee does not engage in any fishing expeditions. It does not project itself into the field of social relations between the races. It acts on the basis of complaints received which are directed to the one and only point of discriminations, or threatened discriminations, in the matter of employment on account of race, creed, color or national origin. It does not set itself up as an arbiter to decide the many and complex problems of social relations. All of those things are beyond its purview. It is concerned only with discriminations in employment in the Government and war industries.

The bulk of its work is in the field, where complaints are received and examined. If the complaint is deemed valid an effort is made quietly and without blare of trumpets to adjust the difficulty. The committee has no punitive powers. It cannot impose sanctions. It can order hearings which sometimes are effective in bringing into operation the corrective influences of publicity, but under no circumstances can it say to an employer, "You must do thus and so." It can bring extreme cases of discrimination to the President for such attention as he cares to give them under the exercise of his war powers, but only in very few instances has it gone that far. Only 2 percent of the cases ever reach the hearing stage. The others are settled in the field. It is surprising how many cases have yielded to the persuasive influence of the committee's agents in the field. It is in this quiet, unostentatious work, which never gets into the public prints, that most of the good results of the Committee on Fair Employment Practices are accomplished.

Since July 1, last, 2,596 complaints have been docketed and 1,636 cases have been closed, leaving a balance of 960. Among the closed cases were 630 satisfactory adjustments. Roughly speaking, two-thirds of the cases have been dismissed and the remaining one-third have been satisfactorily adjusted.

The 630 satisfactory adjustments made by this committee have brought into satisfactory and effective employment relations many thousands who had not been employed in defense plants and many thousands more who had not been



making their maximum contribution to the war effort. Certainly this is an important achievement from the standpoint of America and the United Nations. As evidence of the most impressive character on this point, I call attention to the following testimony on page 563 of the hearings:

Mr. LUDLOW. You spoke of 630 cases being satisfactorily adjusted. How many persons would you say, roughly, were affected by those satisfactory adjustments, Mr. Ross?

Mr. MALCOLM ROSS. This is somewhat of an indirect answer, but I would like to say that I have a list here of firms, of large firms that did not employ Negroes before the defense effort started, but who now do. For instance, North American Aviation of Englewood employs 1,700 Negroes; Western Electric employs 6,000 where before it had never employed Negroes; the Federal Cartridge Co., a firm headed by a committee member, Mr. Charles Horn, had never employed Negroes before, and it is now the largest employer of Negroes in Minneapolis; the Wright Aeronautical Corporation employs nearly 3,000; Curtiss-Wright in New York employs 1,100 Negroes; Winchester Repeating Arms Co. employs 1,400, and others such as the Sun Shipbuilding Co. and the Glenn Martin Co. in Baltimore, and many in the deep South.

The testimony in the hearings showed that in many instances management has been entirely willing to employ Negroes but has been restrained by local prejudices and the Committee on Fair Employment Practice has stepped in and broken the ice and that with the employment of a few colored persons the feeling has disappeared and as the management and the community have become oriented to the new conditions the number of colored persons in that plant has grown to thousands, with the result that everybody is satisfied and the contribution to effective war manpower has been greatly enhanced. That was notably true at the Glenn Martin plant in Baltimore and at many other plants.

I assume that the city of Indianapolis may be regarded as being in all respects a typical American city. Most impressive evidence has come to me of the value and success of the Fair Employment Practice Committee's work in my home city.

I have the honor of representing a great industrial center in which we have thousands of factories of all kinds, and the industrial fabric out there has been greatly strengthened and increased as a result of the war, and I would just like to say that in our Indianapolis community the operations of this committee have been very helpful and very satisfactory, and I should like to read into the record a letter from Mr. William H. Book, executive vice president of our Indianapolis Chamber of Commerce, bearing date of March 21, 1944, in which he submits this testimony:

Soon after the reorganization of the Fair Employment Practice Committee the field representatives of the agency visited Indianapolis, and since that time we have been able to maintain contact and observe the manner in which the work of the committee has been carried forward in this community. I am pleased to state that it has been conducted on a constructive basis which has already produced substantial beneficial results, and I confidently believe will be progressively

more effective. We have been pleased to extend our fullest cooperation and to obtain cooperation from the management of many important Indianapolis industries in a better understanding of (1) the need for greater use of Negroes in war production and (2) the importance of carefully selecting and training of such Negro employees and their supervisors so as to effect this employment with the minimum of disturbance to production schedules.

Mr. Book stands very high in our community as a leader in industrial and civic enterprise and I do not know anyone who is better qualified to evaluate the work of F. E. P. C. in Indianapolis and Indiana than he is.

On the whole the evidence that has come to me through our committee hearings and from all other directions convinces me that the Fair Employment Practices Committee is doing an outstanding job in promoting national unity, in improving and sustaining the morale of the tenth or more of our people who comprise the minority groups and in opening up reserves of manpower so much needed to win the war that would otherwise have remained untapped. Sincerely believing, as I do, that the Committee on Fair Employment Practices is a vital war agency, I hope that the amendment striking it down will not be adopted and that it will be implemented with the funds carried in this bill which are the minimum to enable it to carry on its work.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

The gentleman from Oklahoma [Mr. STEWART] is recognized for 3 minutes.

(Mr. STEWART asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. STEWART. Mr. Chairman, I have listened to every word that has been spoken upon this subject since this bill was brought to the attention of the Congress.

If we vote on the roll-call vote as everything indicates, the item providing the appropriation for the F. E. P. C. will be stricken.

Every consideration should be given in amending the rules of the House to where a repetition will not recur in the future. It may necessitate those of us in opposition to this item to continue until the gavel falls for adjournment. I cannot understand for the life of me why we should have such rules in Congress as the one that was invoked in the present case. That of itself is sufficient, regardless of the merit of the measure, to vote this item out of the appropriation bill.

Mr. Chairman, I, too, am a rather strong advocate of a free press. I publish a small country newspaper and usually say what I want to so long as it is the truth. I do not want to be hamstrung too much by a bunch of these radicals in what I have to say, and that could happen. It is like the little want ad that appeared in the Dallas paper. You do not know how far F. E. P. C. will go. This is a runner-up of the emancipation and the proclamation of the old South, so says the gentleman from New York. How far are they going to run up

emancipation proclamation before they stop?

Mr. Chairman, this is a part of the program of the present campaign. I received an ad today designed and drawn by an opponent of mine, and four other Congressmen have had a like ad written and they, like unto myself, are opposed by the C. I. O. Political Action Committee. Possibly a lot of C. I. O.'s are officials of this F. E. P. C. Now, I am just about fed up on suppressing the press and free news. My seat in Congress is not worth my vote for this item. If that is the cost and penalty they can have it back. However, I believe my constituents will say, "More power to you" when they know the workings of the F. E. P. C. This not only applies to the South, it is Nation-wide. It is a matter of principle and when a Member can come here at a late hour in the evening, with only a half dozen Members present, and destroy a rule of Congress, by unanimous consent, it is time to amend the rules if possible. That sort of practice should not be indulged in.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Illinois [Mr. DAWSON].

Mr. DAWSON. Mr. Chairman, I, too, am an American and in making my claim to that I apologize to no man. By every rule that you may measure men, apply it to me and see if I measure up to the test. This mark on my brow coming down here is the burn of mustard gas in the last war. This left arm of mine is a slip joint today, from raiding German trenches in the last war. I volunteered then because I was an American. So when we stand here today and talk about our country, I can speak for more than a million Negro Americans fighting today with our armed forces and more than 13,000,000 here at home—all Americans. They, too, have a part in this country. The F. E. P. C. was created as a war measure. Ten or more years of depression had caused the majority of 13,000,000 of our citizens to be on relief and to walk the streets jobless. They were unemployed, broke, and disheartened. Many of them were men with high skills and qualifications. Then the war emergency came and men and women of the other races went back to work. Still this large well of unemployment among Negroes remained because of bias and discrimination. They were called to the colors but they were not called back to work. They called upon the Government and upon every agency known to give them some relief from the system of unemployment. Then this Fair Employment Practice Committee was appointed. Without power of subpoena, without power to compel any man to obey its orders, armed only with the power of persuasion and the belief that, in the final analysis, the majority of the people of this country believe in the ideals of fair play and real Americanism, it undertook the task of integrating Negro manpower into war production. This committee has no power to compel anyone to do anything. So when I hear some Members stand here and refer to it as a dictatorial committee, bent on mak-



ing people do something that they do not wish to do, I know they are not stating the facts to you. They are merely making statements in order to carry out their own purposes.

Mr. Chairman, I say to you that this Fair Employment Practice Committee has had thousands of cases before it. They have gone into management, they have gone to the unions, they have talked—not the dictatorial talk of force—but they have talked Americanism. They have called upon the employers to give these people work; to employ them because they are Americans. There was no question where Negroes stood in the war effort. You have but to look at them to know that they are loyal. You have but to look at them to know that they were born in this country and would stand by our flag. This Fair Employment Practice Committee went to work and, as I say, they have settled thousands of cases successfully. Their work should be continued and this amendment should be defeated.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. DAWSON asked and was given permission to extend his own remarks in the RECORD.)

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. SADOWSKI].

(Mr. SADOWSKI asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. SADOWSKI. Mr. Chairman, I rise in opposition to the Tarver amendment. Our fighting men are about to face a supreme test—the like of which, we who are secure can hardly imagine. I speak of cracking the western front. We have the stupendous example behind us of the raging land battles of our allies. It is our turn now—to take on the full massed army of the enemy, in attack. We shall break him with all the physical being, technical skill, and material power which we have brought together and developed in the past years. We have been warned in advance by those conducting this campaign that our personal loss will be dreadful. It will mount into the hundreds of thousands. No battle of ours until now compares with what lies ahead for us. It is our turn now.

In the face of this impending sacrifice, let us examine with the honesty of a surgeon's scalpel what we have contributed to real democracy to compensate for this bitter loss. How much is there undone? What of the unfinished democracy here in the Republic?

In losing the best of a generation to the Nazi brute are we attacking discrimination with boldness and righteous scorn befitting our soldier-liberators?

In honest truth, we can say that in these days the Bill of Rights and the "four freedoms" are being excoriated by some in America, who have never caught the real meaning of democracy. If we do not turn the tide of this force our fighting men will return to find the choking vines of discrimination obliterating the American worker for whose very existence he is fighting abroad—and who has sus-

tained him with arms as he made the fight.

The men who are about to attack are one—to the enemy. The enemy will know the power of his fire—not his race, creed, or the origin of his forebears.

F. E. P. C., the one practical Federal agency which has met the minority question with a real answer—jobs, not words—is itself under salvo here in the Congress, its real function being diverted by the age-common game of might-is-right politics. This should not and cannot be the case in a free nation. The question concerns the working existence of our own citizens. This question concerns three-quarters of the peoples of the earth's globe who look to us for judicious leadership and revitalization of the meaning of popular government.

Ben Franklin was succinct with respect to who we are and what we mean to the peoples of the world about us. Let us hear him again:

The eyes of Christendom are upon us, and our honor as a people is become a matter of the utmost consequence to be taken care of. If we give up our rights in this contest, a century to come will not restore to us the opinion of the world; we shall be stamped with the character of poltroons and fools.

The F. E. P. C. is war government.

The Executive order by which it was established is an expression of equity and cold-blooded reality war marked by the constitutional authority of the President as Commander in Chief.

Our Constitution is minorities. The stature of our moral leadership grew immeasurably through the statesmanship and vigorous equalitarian stand of the President when he issued this order. The order as amended in May 1943 reads in part:

It is the policy of the United States to encourage full participation in the war effort by all persons in the United States, regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders.

This order has provided equal opportunity for all Americans to participate in the production of battle weapons. To fight a far and tyranny as was organized by our enemies, we must call all hands on deck or go under. Previous discrimination as we had known it had to go by the board for reasons of survival and by the very nature of our democratic doctrines. We could not cut back the right of some 30,000,000 of minorities to share in the flood of work growing out of our war effort because of his or her particular custom or color of skin. Total war demanded total mobilization of manpower.

Because of our gigantic effort, hitherto untapped natural resources had to be forced out of our continent. To date the income of this Nation amounts to \$160,000,000,000 per annum compared to \$40,000,000,000 per annum of a decade ago. This new wealth made ruthless demands on every available pair of hands. The threat of distinction made no fine line of difference—youngsters and the aged; Irish, Polish, Negro, Scot, and even the

infirm—we needed them all desperately. To have deliberately denied any person work and promotion would have been to sabotage ourselves as a whole.

Apart from the reality of plain work to be done let us never underestimate the morale of the minority in relation to war.

Thirty millions of people subject to discrimination is a vast number. It is 20 to 25 percent of the Nation. Disillusionment and frustration among neglected people was the cause in great part of the collapse in Western Europe. The Fascist mind resorted to endless invention and finally abducted the spirit of millions who had been discriminated against—economically or otherwise.

As to ourselves, how could our professions to democracy square with our induction of minorities into the armed services while at the same time deny them right to produce weapons of war to protect their sons, our kin, and neighbors.

It is only logical that once the need for labor was established, any person occupied in war work should receive pay on an equal basis with his coworkers. This is the labor standard of the land.

This is the meaning of economic democracy and proper in a nation abounding in wealth such as ours.

F. E. P. C. has the support of progressive labor leaders whose main preoccupation and task is to guide the practical and political affairs of the American workers. On the other hand, there are those labor leaders who would pull their own house down rather than admit a dark-skinned coworker to the full privileges of a federation for workingmen.

I quote from the statement of the executive council of the American Federation of Labor at their sixty-third convention held in October 1943:

The direct and whole-hearted participation of the representatives of the American Federation of Labor in the work of the Fair Employment Practice Committee has been based on the recognition of the fact that race discrimination in war employment is inconsistent with the Nation's foremost objectives in war for the survival of democracy. Such discrimination is not only contrary to individual human rights affirmed by our Constitution and basic to our institutions, but is also a threat to national unity during and after the war. Differential treatment of minority groups, and especially Negroes, at the time of maximum employment induced by the war, is bound to establish and perpetuate basic differentials in the Nation's wage structure solely because of race. When employment is curtailed after the war, the creation of a reservoir of cheap labor among Negro workers can only serve to destroy the established wage standards for all labor and result in racial strife. Insistent need for elimination of race discrimination in employment and wage standards is thus dictated, not only by the democratic principle to which the labor movement is pledged, but also by the need to assure economic stabilization.

The labor movement will crumble and crash if any segment of organized labor allows the resolutions and pledges taken in convention assembled to become a mere scrap of paper and allow words issued in convention to become a mere pap.

If responsible labor leaders have gone down the line in support of F. E. P. C. it



is because of reason and a desire for healthy economics. Democratic principle is their pump-primer. A wise labor organization is not dry rot in the land, but a live organism. It cannot help but recognize the minority workers. These millions have and will work into the labor system and in turn become the consumers of the goods it fabricates.

I wish to quote at this point from President Philip Murray's report to the sixth constitutional convention of the C. I. O. held on November 1, 1943. In endorsing F. E. P. C., he has said:

Two years of practical experience in dealing with problems of discrimination in employment on grounds of race, creed, color, and national origin by the President's Committee on Fair Employment Practice prove that these undemocratic and socially destructive practices can be controlled if approached with vigor and honesty—there is much ground yet to be covered, of course, for deep-seated habits and prejudices cannot be changed overnight. But a basic orientation has been achieved and we have a general understanding now of the policies which must be followed in the long pull—from the time of the establishment of the first committee, C. I. O. has given strong support to this work. It was instrumental in obtaining the issuance of Executive Order 8802. It pressed for vigorous enforcement without fear or favor. It has urged full and prompt investigations and hearings in all situations where discriminatory practices have taken place.

The idea of an American minority sounds strange to most of us. Who is he? It is hard to think that we are anything but plain Americans—all of us. But there are those who have been standing on the fringe of equal opportunity for generations, or who have been discriminated against for fear of aiding the enemy. There are the million refugees who have fled the Axis combine to seek freedom and work within our shores. There is the American Indian, who receives only a minimum share in our industrial system—but whose inherent craft skill no one questions. Some 20,000,000 of our people are immigrant or first- or second-generation Germans, Italians, Jews, Finns, and French-Canadians. There are in America approximately 7,000,000 or more persons of Polish descent immediate or remote.

One person in ten in the United States is a Negro. There are 13,000,000 people in this largest minority group.

A major portion of 3,000,000 Spanish-Americans are located in the Southwestern States. These people's forebears helped settle New Mexico, Arizona, Texas, and southern California. New Mexico bore the highest loss of the 9,000 men who went to Bataan in April 1941. The Two Hundred and Five Hundred and Fifteenth Coast Artillery of New Mexico was made up of Spanish-speaking men in ace anti-aircraft units. Many are Japanese prisoners now.

The F. E. P. C. is a fair yardstick to measure minority percentages by. Of the 3,000 complaints filed with the committee last year, 81 percent alleged discrimination because of race or color, 9 percent because of religion, 5½ percent because of alienage, and 4½ percent because of national origin.

The F. E. P. C. is not trying to impair the traditional employee-employer rela-

tionship of 30,000,000 persons in the United States but by adjusting complaints it is setting patterns for a greater slice of democracy than they ever received before.

As matters stand today a member of a minority group has one-eighth as good a chance of getting placed in skilled or semiskilled occupations as a member of a majority group.

F. E. P. C. has a big job cut out ahead. This Congress has a big job cut out ahead and the duty of making America a place of equal job opportunity for the men and women who are now returning or who are still overseas. The men and women in the fighting services are not a majority—they are everybody. They are the four freedoms in living, acting, fighting reality. They will want to see democracy work because they are fighting those who have discriminated against freedom.

Discrimination against a fellow citizen is unethical. Labor leaders and legislators have aided in protecting the minority against economic exploitation to some extent—they have improved his general welfare, but for long centuries he carried his grief to the churches and synagogues. If he had a poor chance elsewhere he took comfort in religion. Today religious leaders are increasingly concerned with the practical measures to attain the ideal of the brotherhood of man. On November 13, 1943, the administrative board of the Catholic Welfare Conference at the direction of the archbishops and bishops who attended the annual meeting of the hierarchy in Washington issued an important statement on the essentials of a just peace. While the statement was concerned with international relations it significantly enough singled out the problem of extending equal justice to all groups of American citizens, regardless of race, creed, color, or national origin. I quote the hierarchy:

It would be inconsistent to promote a world reconstruction in which all nations great and small, powerful and weak, would enjoy their rights in the family of nations, unless in our own national life we recognize an equality of opportunity for all our citizens and willing to extend to them the full benefits of our democratic institutions.

This statement was quoted in the January issue of Catholic Action and went on to say:

In the province of God there are among us millions of fellow citizens of the Negro race. We owe to these fellow citizens, who have contributed so largely to the development of our country, and for whose welfare history imposes on us a special obligation of justice, to see that they have in fact the rights which are given them in our Constitution. This means not only political equality but also fair economic and educational opportunities, a just share in public welfare projects, good housing without exploitation, and a full chance for the social advancement of their race.

Mr. Chairman, the thinking and desire for action in this instance has underlined the lot of the American Negro. The same applies to the Spanish-speaking population—it applies to the Jew who is discriminated against—to the Polish-American who carries his accent to the graveyard shift—to the Seventh-

Day Adventist who worships on Saturday.

The kind of thinking I have just quoted is based on tolerance and love for the dignity of man. This is the foundation of our civilization. It is not original, but is being further implemented today by men of good will who know that the destiny of the world is democracy.

I should like to dwell on the subject of the Negro at this point—there is much said about him which only partly reveals his position in our war economy.

Out of a total of 14,000,000 war workers in the plants and factories reporting to the War Manpower Commission the actual number of Negroes making the necessities of war as of last July was a little more than 1,090,000.

This figure carries a good deal of significance. It is no mere abstract term for war workers punching time clocks. There is a history of evolution and redoubled effort of a loyal citizenry to receive their just due in real jobs.

During the last war when the Nation stepped up its production, thousands of Negroes proved their adaptability to industrial working conditions, although historically their source of livelihood stemmed from the land. During the last war they were the last hired and the first fired. When the war boom spiraled down into a depression, the Negro went down with it. What he had gained in higher standard of living was short-lived. He retained the new dignity but lost the proper standard of living. Later, during the world-wide depression of the thirties the members of his race weighted the relief rolls, in what seemed, to abnormal extent. But what private jobs there were went to others; consequently the public supported him on relief. In this war his race has come forward again in an attempt to hold down bona fide jobs, earn regular pay according to standard conditions set down for all who work in war. The Government policy of non-discrimination has supported this urge to come forward to work.

With the aid of the President's Committee on Fair Employment Practice, 1,000,000 are contributing directly to the production of war essentials. Without discrimination approximately one-half million more could produce goods for the armed forces. This would be within the 10-percent ratio which the Negro bears to the whole population, and which could save management, government, and the whole war effort from the present exasperating search for adequate labor.

Discrimination has a strong foothold here on the home front and if F. E. P. C. for reasons of myopia among special groups is discouraged from doing its proper job, we shall lose critical numbers of willing and able workers now in war and for the reconstruction job which lies ahead.

Some still question the Negroes' capacity for industrial-type work. As far back as November 1942 the American Management Association discussed the Negro worker in a special research report. Enlightened personnel officers concluded these following points:



First. Negro workers have great potentialities; they have responded to training for industrial employment.

Second. Regardless of race, creed, color, where accepted, good personnel procedures are employed, workers respond, and satisfactory production may be expected.

Negro workers in war industries are still, for the most part, employed below their maximum or potential skills, but in many instances restrictions have been lifted to the benefit of production. Skilled Negroes have been recruited in a shipyard in Brunswick, Ga. In the area of Hampton Roads, Va., 4 Government establishments and the largest private contractor employed 2,000 skilled and 7,000 semiskilled Negroes. Shipyards in Mobile, Ala., recruited Negro welders, traditionally one of the highest skills. In Baltimore a leading shipyard has employed some 10,000 Negroes. Of these over 2,000 were skilled men in a wide variety of occupations. Two years prior to this only a few had been employed, and they had been restricted to unskilled work. In the summer of 1943 over 65,000 Negro men and women had found employment in the aircraft industry. Thousands were in production jobs. From the fall of 1941 to January 1943 Western Electric increased its Negro employees from none to over 1,200. A large proportion of these were women, and Negro workers were employed in technical, clerical, skilled, and semi-skilled capacities.

This is something of the record where the barriers of discrimination were let down to the benefit of the whole country. Discrimination would have chalked the loss of these workers to the "too little and too late" side of the war ledger.

Mr. Chairman, I have attempted to point out the positive and negative sides of the question of discrimination. I believe that a long-run national program for combatting discrimination must dig down to the basic causes. One of the most important of these is economic. It stems from the fear of job insecurity and competition. We know, for example, from studying the causes of the Detroit riots that in instances where white and Negro workers were engaged in essential and well-paid jobs—working side by side—there was no alarm and physical antagonism. In fact, there were numerous instances of rescue by white men of Negro coworkers.

The problem of discrimination, Mr. Chairman, will finally be settled in an American way, by American methods—as we have settled many diverse and angry problems before in our history. We are still a great and united Nation because in the final decisions all which is healthy and of integrity of the majority decides for the general welfare.

History and the evil abroad is challenging us to make our decision. We will accept that challenge by voting against the Tarver amendment.

We must take care of this problem. Is the Bill of Rights at home to be an all-encompassing doctrine—broad as our continent is broad, deep as the spirit of the good-neighbor policy, and universal

as the agreements of Cairo, Moscow, and Tehran—or shall we deliberately and cynically intend to keep 30,000,000 of our own people limping at our side? The answer is that the country is already responding. This is America, the land and principles upon which is founded democracy, the guiding light of freedom and peace.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. RAMSPECK].

(Mr. RAMSPECK asked and was given permission to revise and extend his remarks.)

Mr. RAMSPECK. Mr. Chairman, there is a regional office of the F. E. P. C. in my district, in Atlanta. I have therefore had opportunity to observe the operations of this committee. I have no desire to play politics with the race question. It is too serious a matter to play politics with.

For whatever it may be worth to anybody who will listen, I just give to you as my sincere, candid opinion, that this committee has done more harm to the Negro race than anything that has happened within my memory; that it has created more racial prejudice in this country than anything that has happened within my memory. I think it is a mistake. I believe that sincerely.

I think this is a problem that can be handled only by education, by mutual understanding, and by the people in the local communities.

Last year I spent 2 weeks in Indiana and Ohio with Senator BURTON, talking about post-war collaboration between the nations, and in every city I went to in those States the people talked to me constantly about the friction between the races that has been created recently. Neither one of these States can be considered as being in the South.

So I say to you as sincerely as I know how that in my judgment no greater mistake has been made in this country with relation to the race question than the creation of this committee, staffed as it is by crusaders, who do not understand the problem. I hope the amendment will be agreed to.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I want to endorse all that the gentleman has said in the first part of his speech, and join with him in striking this section from the bill.

Mr. RAMSPECK. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KLEIN].

(Mr. KLEIN asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. KLEIN. Mr. Chairman, I have great admiration and respect for the gentleman who just spoke [Mr. RAMSPECK], the chairman of my committee. I have very high regard for him. I know that the sentiments as he expressed them here are sincere. But I feel that he is mistaken. The forces here, which are

arrayed in opposition to the F. E. P. C. are the forces that represent intolerance, and who have been behind every reactionary movement, and have been opposed to all liberal, forward-looking legislation that has come before this House in my time. The same Members have been opposed to legislation to outlaw the poll tax and in favor of restrictions on organized labor.

There has been much talk here about the fact that the procedure is bad; that we ought to have legislation for such a committee, and then appropriate funds.

We have such a bill pending, and as a member of the Committee on Labor I am very happy to state that we are going to hold hearings, beginning June 1, on a permanent F. E. P. C. But I feel that the same Members who are opposed to this legislation will be opposed to that particular legislation. Coming, as I do, from a district in the city of New York representing all nationalities, I can state with assurance that we have found, in my district at least, that it is possible to get along without any discrimination, and in complete harmony. However, nobody can deny that there has been discrimination in certain parts of the country. If there is discrimination, then we should have some law, some committee, some commission, whatever it may be called, to outlaw such practices.

There is no compulsion about this Committee, as has been stated before. It has no disciplinary powers. It cannot do anything more than hold up to public opinion the perpetrators of any act to prevent which, it has been created. It cannot mete out any punishment nor compel the cessation of such activities.

I hope the House will vote this amendment down and permit this Committee to continue the fine work it has been doing.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, the matter before the Committee deals with the subject of jobs; jobs in the war effort and jobs in Government service. The language as set forth in the report—and I would like to stay with the facts on this important subject—reads as follows:

It is the policy of the United States to encourage full participation in the war effort by all persons in the United States regardless of race, creed, color, or national origin—

So it deals with several groups of people—

in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders and that the successful prosecution of the war demands the maximum employment of all available workers regardless of race, creed, color, or national origin.

In this connection I will ask, when we return to the House, that a letter written by the Right Reverend Monsignor John A. Ryan, D. D., director of the National Catholic Welfare Conference, Department of Social Action, Washington, D. C., under date of March 20, be inserted. The letter follows:



NATIONAL CATHOLIC  
WELFARE CONFERENCE,  
DEPARTMENT OF SOCIAL ACTION,  
Washington, D. C., March 20, 1944.  
Hon. LOUIS C. RABAUT,  
House of Representatives,  
Washington, D. C.

DEAR CONGRESSMAN RABAUT: I am glad to note that you are a member of the subcommittee of the Appropriations Committee which is considering an appropriation for the Committee on Fair Employment Practice. Since I know that you favor the appropriation, I am not writing to urge that course upon you but merely to say that I sincerely hope the appropriation will be made. It is a long time since Congress had before it a more worth-while proposal. The task and aims of the Committee on Fair Employment Practice are among the most humane and just that have ever been undertaken by any agency of our Government.

Sincerely yours,  
Rt. Rev. Msgr. JOHN A. RYAN, D. D.,  
Director.

The CHAIRMAN. The Chair recognizes the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, I regret the emotional disturbance created over this F. E. P. C. appropriation. It has been repeatedly charged that there is no legislative sanction for it. Since when have we become so terribly disturbed over legislative sanction? I recall many appropriations under war powers granted to the President that were scarcely noticed by this body. Why are not we honest about this subject? Why try to camouflage the issue? We have sent our men to fight all over the world that all peoples might be free—to preserve the traditions we believe necessary to continue that freedom—freedom of religion, equality of opportunity regardless of race, color or creed. Are we logical in this debate today? Why should we deny to our own people the equality we insist is necessary to maintain a free world? Our soldiers are fighting and dying beside men of every color, of every religion. They are not concerned with the petty debate that we have heard here today. They are concerned with larger things. Things of supreme importance if we are to live as free men.

The Labor Committee intends to conduct hearings on bills to make F. E. P. C. a permanent organization. We shall begin these hearings on June 1, and we believe they will be revealing. If we really believe in the "four freedoms" we should not hesitate to face any issue concerned with these freedoms. The Labor Committee does not intend to sidestep. We intend to hold fair hearings and develop all the facts. We shall then be in a position to present a bill for your consideration as a result of those hearings. Until we do this the present appropriation will be continued for this very worthy cause.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to read to the House two short paragraphs from an editorial appearing in the Dallas News.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. These paragraphs are as follows:

If white and colored people can be segregated in schools, on streetcars, and elsewhere on the basis of our State laws, sustained by a United States Supreme Court decision, it is absurd for a Federal agency, having no more authority than Presidential ukase, to transcend the theory held by the Supreme Court, in its directives to employers in their private business. For, certainly, under any theory or law, more liberty in the choice of associates is permitted in private than in public service. It would be easily possible for the President's Fair Employment Practice Committee to perform its legitimate function of seeing that Negroes get a fair deal in war-industry employment, yet without attempting to break down the time-honored southern tradition of segregation. With such a policy the News would be in entire sympathy.

Not only does the President's Fair Employment Practice Committee attempt to abolish segregation, it ignores the fact that, in the long-standing traditions and practices of the South, a considerable difference has been established in the actual skills of white and colored people. To the extent that it would abolish precise advertising, it would create confusion and bring about wastage of manpower.

In my opinion, this proposal goes far beyond the question of industrial employment, as pointed out by the gentleman from Michigan [Mr. RABAUT]. I repeat that I shall vote to strike the provision from the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, my views on this amendment follow very closely those which have been so well expressed by the gentleman from Ohio [Mr. VORYS]. Since he has already stated the same reasons which I myself am following in voting against the pending amendment, I shall not consume all of my time. It seems to me that as an act of economic justice the appropriation for the Committee on Fair Employment Practice should continue.

The CHAIRMAN. This concludes all debate except the 5 minutes reserved for the committee. Does the chairman of the committee desire recognition?

Mr. CANNON of Missouri. Mr. Chairman, I ask for a vote on the amendment.

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Since 5 minutes is left before debate is concluded, I ask recognition.

The CHAIRMAN. Debate has already been concluded except the 5 minutes reserved for the committee.

Mr. CELLER. Will the gentleman from Missouri yield me 3 minutes?

Mr. CANNON of Missouri. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I listened with interest to the proponents of this amendment. I fear that it is sort

of a theatrical storm that they are raising. Their facts and opinions are out of kilter and accuracy.

I should like to quote to some of the proponents of the amendment something that was written a great many years ago, and I quote from the Bible the words of a great prophet, Leviticus. If you go to Philadelphia you will see inscribed on the Liberty Bell these words of Leviticus:

"Proclaim liberty throughout the land to all the inhabitants thereof."

That wise prophet did not limit his phrase to proclaiming liberty throughout the land. He knew that rulers might abuse that dictum and would not give proper administration to the "proclaim liberty throughout the land." He carefully added "to all the inhabitants thereof."

All that the President's directive did in the setting up of this Committee on Fair Employment Practice was to try to give that liberty to all the inhabitants of the land, regardless of race, of creed, or of religion. The President in setting up the Committee spoke of the "firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders."

We know that we need approximately 100,000 men more every quarter in the plants producing munitions, but we are keeping them away from those plants because of racial bias and prejudice, which is sought to be struck down by this Committee on Fair Employment Practice.

It goes without saying that a Negro or a Jew or a Latin American or a Catholic in certain quarters is denied war employment entirely, and in other cases is forced to clean cuspidors, when he is amply qualified to run a turret lathe. This creates tremendous discontent and weakens morale on the home front, which is just as important as the battle front.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. TARVER].

The question was taken; and on a division (demanded by Mr. DICKSTEIN), there were—ayes 139, noes 95.

Mr. MARCANTONIO. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. TARVER and Mr. CANNON of Missouri.

The Committee again divided and the tellers reported that there were—ayes 141, noes 103.

So the amendment was agreed to.

The Clerk read as follows:

#### OFFICE OF WAR INFORMATION

Salaries and expenses: For all necessary expenses of the Office of War Information, including the employment of a Director and Associate Director at not exceeding \$12,000 and \$10,000 per annum, respectively; not to exceed \$75,000 for the temporary employment in the United States of persons by contract or otherwise without regard to the civil service and classification laws; employment of aliens; employment of persons outside the continental limits of the United States without regard to the civil service and classification laws; travel expenses (not to exceed



\$400,000 for travel within the continental limits of the United States); expenses of transporting employees and their effects from their homes to their places of employment in a foreign country and return to their homes in the United States; purchase of radio time and purchase or rental of facilities for radio transmission; purchase, rental, construction, improvement, maintenance, and operation of facilities for radio transmission and reception, including real property outside the continental limits of the United States and temporary sentry stations, guard barracks, and enclosures for the security of short-wave broadcasting facilities within the continental limits of the United States without regard to the provisions of section 355, Revised Statutes (40 U. S. C. 255), and other provisions of law affecting the purchase or rental of land and the construction of buildings thereon; advertising in foreign newspapers without regard to section 3828, Revised Statutes (44 U. S. C. 324); printing and binding (not to exceed \$2,710,389, for such expenses within the continental limits of the United States), including printing and binding outside the continental limits of the United States without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); purchase or rental and operation of photographic, reproduction, printing, duplicating, communication, and other machines, equipment, and devices; exchange of funds without regard to section 3651, Revised Statutes; purchase of 486 motor-propelled passenger-carrying vehicles for use outside the continental limits of the United States which may be acquired without regard to statutory limitations as to price and authority to purchase; acquisition, production, and free distribution of publications, phonograph records, radio transcriptions, motion-picture films, photographs and pictures, educational materials, and such other items as the Director may deem necessary to carry out the program of the Office of War Information, and sale or rental of such items by contract or otherwise to firms or individuals for use outside the continental limits of the United States; purchase, repair, and cleaning of uniforms for use by porters, drivers, messengers, watchmen, and other custodial employees outside continental United States; such gratuitous expenses of travel and subsistence as the Director deems advisable in the fields of education, travel, radio, press, and cinema; not to exceed \$125,000 for entertainment of officials and others in the fields of education, radio, press, and cinema of other countries, payment of the United States' share of the expenses of the maintenance, in co-operation with any other of the United Nations, of organizations and activities designed to receive and disseminate information relative to the prosecution of the war; \$58,625,367: *Provided*, That, exclusive of the contingency fund mentioned in the last proviso hereof, not more than \$48,562,101 (including living and quarters allowances) shall be allocated to the Overseas Operations Branch and not more than \$2,200,000 shall be allocated to the Domestic Operations Branch for the following functions only: Office of the Director, including book and magazine coordination sections; Office of Program Coordination; News Bureau; Bureau of Special Services; Radio Bureau; Motion Picture Bureau, not exceeding \$50,000: *Provided further*, That notwithstanding the provisions of section 3679, Revised Statutes (31 U. S. C. 665), the Office of War Information is authorized in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators or said radio stations and facilities from such funds as may be hereafter appropriated for the purpose, against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That not to ex-

ceed \$600,000 of this appropriation shall be available to meet emergencies of a confidential character to be expended under the direction of the Director, who shall make a certificate of the amount of such expenditure which he may think it advisable not to specify and every such certificate shall be deemed a sufficient voucher for the amount therein certified: *Provided further*, That \$5,500,000 of this appropriation shall not be available for expenditure unless the Director of the Office of War Information, with the approval of the President, shall determine that such funds, in addition to the other funds provided herein for the Overseas Branch, are necessary for carrying on activities in conjunction with actual or projected military operations and that accounts for these funds may be merged with regular accounts.

Mr. DWORSHAK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DWORSHAK:

On page 18, line 24, strike out "\$58,625,367" and insert "\$53,125,367."

On page 18, line 24, strike out all after the word "provided."

On line 25, strike out all of the line up to the words "not more than."

On page 19, line 24, strike out the word "provided" and the remainder of the paragraph through line 7, on page 20.

Mr. DWORSHAK. Mr. Chairman, I have offered this amendment to eliminate \$5,500,000 from the appropriation for O. W. I. and to eliminate a proviso, which I read:

*Provided further*, That \$5,500,000 of this appropriation shall not be available for expenditure unless the Director of the Office of War Information, with the approval of the President, shall determine that such funds in addition to the other funds provided herein for the overseas branch are necessary for carrying on activities in conjunction with actual or projected military operations and that accounts for these funds may be merged with regular accounts.

You have probably observed during the extensive debate on O. W. I. yesterday and today that the committee has recommended an increase of \$20,402,000 over the appropriation for the current year which was \$38,222,000.

I do not have time to go into the details and discuss the merits of this entire appropriation but I submit this amendment solely on the basis that the proviso constitutes a blank check. The report submitted by the committee says that it cut \$4,500,000 in the contingency fund from a requested \$10,000,000 for allocation when approved by the President to the overseas branch in conjunction with actual or projected military activities; and that the remaining sum of \$5,500,000 shall be available as the fiscal year progresses if needs develop. There has been no justification by O. W. I. to make it available now.

We have heard a great deal about the publications which have been distributed and circulated by the O. W. I. This amendment is not concerned with that activity. But I call attention to the fact that during the year the O. W. I. has had for domestic and foreign operations, 7,557 civilian employees and is asking for an increase of 2,300, to 9,803, exclusive of this \$5,500,000. In April of this year the ranking minority member of this committee, the gentleman from New York [Mr. TABER], vigorously assailed the

spending by O. W. I. and displayed to the House a copy of the Handbook on the United States of America, that was circulated overseas.

I should like to go into the details on that, but, on page 2, I want to quote from one paragraph. I quote from this Handbook circulated by the O. W. I. as follows:

Even in less critical periods the Nation in the twentieth century has come to expect the President to take the lead in formulating general domestic policies for the country. Increasingly, the President has become the legislative leader, setting a definite program before Congress and using his influence to secure its enactment into law.

By this amendment I propose to eliminate \$5,500,000, for which no justifications have been submitted to the subcommittee which brought in this bill. If during the next year there should be any need arising whereby the O. W. I. should require additional funds, then I submit to you it will be time for Elmer Davis and his agency to come before the Congress and ask for a deficiency appropriation.

There are few Members of this body who have not, during the past few years, condemned the practice which has been followed on various occasions, of issuing these blank checks to the President to spend funds, if and when he thought it necessary. The O. W. I. has in this bill \$20,000,000 more than this year. If we eliminate this \$5,500,000 O. W. I. will still have \$15,000,000 more than during the current year.

We know that O. W. I. has been waging psychological warfare; but if that program is successful—and it has been in some respects—and additional funds are needed, this Congress will be in session, or a succeeding Congress will, and the representatives of O. W. I. can come here and ask for additional funds. That is the only issue at stake in this amendment, whether we are going to surrender our control over the purse strings, or whether the Congress is going to take the position that it is our joint responsibility to control the expenditures of Executive departments of the Government.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. CANNON of Missouri. Mr. Chairman, I have consulted with Members on both sides of the aisle. They seem to favor as brief debate as possible on the remainder of the bill. For that reason I move that all debate on the amendment and all amendments thereto close in 7 minutes.

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Chairman, I ask that the gentleman from Missouri [Mr. COCHRAN] be recognized for 2 minutes and that the gentleman from Virginia [Mr. WOODRUM] be recognized for the remaining 5 minutes.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

The CHAIRMAN. The gentleman from Missouri [Mr. COCHRAN] is recognized.

Mr. COCHRAN. Mr. Chairman, I would like to have the gentleman read



that proviso. This is a limitation. It reads:

*Provided further,* That \$5,500,000 of this appropriation shall not be available for expenditure unless the Director of the Office of War Information, with the approval of the President, shall determine that such funds are necessary—

And so forth. Mr. Chairman, it seems that the Congress, like many people in this country, does not realize that we have 10,000,000 people in the armed forces; that we are on the verge of an invasion. They do not realize that we are engaged in the greatest war the world has ever known. In April we had 25,000 casualties. Every minute of the month of April there was a casualty. As I speak here now for 2 minutes, on the basis of what happened in April, two of our American defenders are listed as casualties.

It seems to me that it is time for all of us to get together and do what we can on the home front to support the armed forces and the defeat of this amendment is a way to help do it.

I yield back the balance of my time.

The CHAIRMAN. The gentleman from Virginia (Mr. Woodrum) is recognized for 5 minutes.

Mr. WOODRUM of Virginia. Mr. Chairman—

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I have only 5 minutes.

Mr. PLOESER. But opposition has 7 minutes where the proponents have but 5.

Mr. WOODRUM of Virginia. I yield briefly.

Mr. PLOESER. I merely wanted to clarify the statement made by the gentleman from Missouri. The amendment did not call for reducing the \$58,000,000 appropriation \$5,500,000; it went on to cut out that particular proviso to recommend that \$5,500,000 be cut. The statement was in error and in misunderstanding of the amendment.

Mr. TABER. Mr. Chairman, if the gentleman will yield, I think the statement of the gentleman from Missouri is correct. This is a proposed cut on the part of the gentleman from Idaho of \$5,500,000 from the gross amount. That amount was agreed to by the members of the subcommittee after we had all argued back and forth for a long time on it. Some of us thought it should be more and others thought there should not be any cut, but that was the amount agreed on in the committee.

Mr. WOODRUM of Virginia. Let me say that this item in this bill has had as careful consideration on the part of the deficiency committee as could be given to it. We were so much interested in it that many members of the committee made a special trip to the city of New York to look at the overseas operations. We considered the matter, we advanced our own opinions, and the judgment of the subcommittee was that the amount of funds reported in this bill ought to be passed by the Congress.

I admit that the committee is not infallible, that the House and the Committee of the Whole has a right to do

whatever it wishes to do notwithstanding the recommendation of the gentleman from New York, the gentleman from Massachusetts, and other minority members of the deficiency committee, as well as the rest of us. It seems to me that our deliberate, considered judgment after careful hearings ought to have some weight in the Committee of the Whole. The Overseas Branch of the Office of War Information today is performing a vital, critical function in the war effort and in this particular invasion which we are momentarily expecting. I should like to read from the report. Here is what Deputy Chief of Staff General McNarney, speaking for General Marshall, said. We asked him their opinion about this thing, how it fitted into the war program, and its usefulness, and here is what he said:

The War Department believes that both the Office of War Information and the Office of Strategic Services are performing essential functions overseas. Approved plans do call for increased activity on the part of both of these organizations, and as military operations expand, it is to be expected that their work will increase.

No further militarization of the Office of Strategic Services and the Office of War Information is planned. As you know, the Army is finding it difficult to remain under the present manpower ceiling of 7,700,000 men and still furnish all military personnel and units required for planned operations. Because of our manpower limitations, it is mandatory that the Office of Strategic Services and the Office of War Information be manned so far as possible by civilians.

The military commander says this function is necessary.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield for one question?

Mr. WOODRUM of Virginia. I would like to finish. Under the specific mandate of the military commanders in the field, O. W. I. is setting up 35 new outposts in connection with the present advanced and extended military operations in the field. Right today, right tonight, every hour of the day and every hour of the night, the new radio broadcasting station set up in London carries the voice of General Eisenhower to the nations and to the underground, giving the information relative to the impending invasion.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield at that point?

Mr. WOODRUM of Virginia. I cannot yield.

Mr. DWORSHAK. I submit there is a misrepresentation. I am not taking any money away from that \$58,000,000.

Mr. WOODRUM of Virginia. I know, but the gentleman is trying to reduce the emergency fund by \$5,000,000 and our committee has already reduced it \$6,000,000. We took \$4,500,000 from the emergency fund, took \$1,000,000 from general funds, and took \$245,000 from the domestic branch of O. W. I.

Mr. Chairman, it would be taking a great chance to cut this any further than it has been cut and I want to appeal to the committee and to the House to back the deliberate ultimate judgment, the considered judgment of the deficiency subcommittee which brings this item to you as a vital critical war necessity.

The CHAIRMAN. The time of the gentleman from Virginia has expired; all time has expired.

The question is on the amendment offered by the gentleman from Idaho.

The question was taken; and on a division (demanded by Mr. DWORSHAK) there were—ayes 69, noes 121.

So the amendment was rejected.

The Clerk read as follows:

The appropriation herein made for the Office of War Information shall constitute the total amount to be available for obligation by such agency during the fiscal year 1945 and shall not be supplemented by funds from any source except by reverse lend-lease.

Mr. MILLER of Missouri. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope that when the Tarver amendment reaches the floor of the House for a roll-call vote that it will be defeated.

I will not take the balance of my 5 minutes at this time but ask unanimous consent to revise and extend my own remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, the pro forma amendment was withdrawn.)

The Clerk read as follows:

#### WAR PRODUCTION BOARD

Salaries and expenses: For all necessary expenses of the War Production Board, including salary of the chairman at \$15,000 per annum, and salaries of six vice chairmen or principal officials at \$10,000 per annum each; the employment of aliens; the employment of expert witnesses; not to exceed \$20,000 for the temporary employment of persons or organizations, by contract or otherwise, without regard to the civil-service or classification laws; not to exceed \$5,000 for entertainment of officials of other countries when specifically authorized or approved by the Chairman; reimbursement at not to exceed 3 cents per mile, of employees for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations; not to exceed \$4,625,000 for travel expenses, including travel to and from their homes or regular places of business in accordance with the Standardized Travel Regulations, including travel in privately owned automobile (and including per diem in lieu of subsistence at place of employment) of persons employed intermittently away from their homes or regular places of business as compliance commissioners and receiving compensation on a per diem when actually employed basis; not to exceed \$1,217,000 for printing and binding; not to exceed \$4,500,000 for scientific research on materials, material substitutes, and other subjects related to the functions of the Board, without regard to section 3643, Revised Statutes; and the rental, maintenance and operation of one airplane; \$67,500,000: *Provided*, That the requirement in section 301 of the Treasury and Post Office Departments Appropriation Act, 1943, and in section 201 (a) of the Independent Offices Appropriation Act, 1944, that the payment of expenses of travel of employees on transfer from one official station to another must be authorized in the order directing the transfer is hereby waived with respect to such travel performed, with the approval of the Chairman of the Board, or his designee, in the fiscal year 1943, and in the fiscal year 1944 prior to November 1, 1943.

Mr. KEEFE. Mr. Chairman, I offer an amendment.



The Clerk read as follows:

Amendment offered by Mr. KEEFE: Page 22, line 6, strike out "\$67,500,000" and insert "\$66,839,300"; and after the period in line 16 insert the following: "Provided, That none of the funds herein provided shall be expended for the purpose of paying any salaries or expenses in establishing, operating, or maintaining a labor production office."

Mr. KEEFE. Mr. Chairman, I addressed the Committee this afternoon upon this subject. I shall not detain the Committee at length in connection with this amendment now.

The purpose of this amendment is to remove from the War Production Board appropriation \$600,700 which is asked for to carry on the activities of a labor production office in the War Production Board.

I attempted to demonstrate this afternoon that this agency in the War Production Board is a complete duplication of the regular established agencies in the Department of Labor.

My purpose in offering the amendment is to try to protect and guarantee the integrity of the agency of Government that has been set up to handle labor problems, which is the Department of Labor. The purpose of the amendment is to protect the Wage Adjustment Board in the Department of Labor. The purpose of the amendment is to protect the Conciliation Service in the Department of Labor. The purpose of the amendment is to protect other agencies in the Department of Labor whose work is being duplicated, impinged on, and interfered with by a competing and duplicating agency set up in the War Production Board.

Mr. Chairman, the Members may get tired, they may think this is the usual perfunctory amendment, but may I say now that here is an opportunity to save six-hundred-odd-thousand dollars by doing away with an agency that makes absolutely no contribution to the war effort but simply provides a lot of jobs for people to interfere with and duplicate the work of an established agency of Government, the Department of Labor.

Mr. ANDERSON of New Mexico. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from New Mexico.

Mr. ANDERSON of New Mexico. Would not the gentleman say also that more important than the saving of money is the building up of the standard of Dr. Steelman's office and not having a competing organization built up against him?

Mr. KEEFE. I think the gentleman from New Mexico is absolutely right. This matter has been given some consideration by those who are familiar with it. The gentleman who just addressed the House, a member of the subcommittee that has charge of the Labor appropriation bill, knows that I am absolutely right in this situation. Anyone else who is familiar with the facts must know that if we are to stop this expenditure of public money, here is one crystal-clear opportunity to do it.

Mr. COCHRAN. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Missouri.

Mr. COCHRAN. During the hearings on the bill that the gentleman refers to was it clearly brought out that this branch of the War Production Board was duplicating the work of an agency of the Department of Labor?

Mr. KEEFE. The hearings I referred to, which are the hearings conducted by the Subcommittee on Labor and Social Security makes that conclusion inevitable.

Mr. COCHRAN. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON of Missouri. Mr. Chairman, I move that all debate on this amendment close in 10 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Wisconsin [Mr. KEEFE].

Mr. Chairman, everyone knows that some overlapping is bound to occur in a department connected with labor production in this emergency. I have talked with Mr. Steelman today and he advises me that since Mr. Keenan has been in charge of the Office of Labor Production he has worked with Mr. Keenan harmoniously and for the benefit of both. They have worked out a cooperative understanding and arrangement whereby they are responsible for conciliation work. Mr. Steelman in his conciliation department, and Mr. Keenan and his staff in labor production and other special problems entirely apart from conciliation work in the Labor Department. I think most of you gentlemen know that I would not take anything away from the Labor Department that belonged properly there.

There is complete cooperation between these two agencies and no overlapping. I note on pages 690 and 691 of the hearings when Mr. Keenan was before the subcommittee and was asked about this overlapping he testified as follows:

I considered this question, which has been suggested here today, very fully when I became head of the Office of Labor Production and I determined that we would not duplicate the work of any other agencies that were concerned with labor problems. I thereupon began discussions with the Department of Labor, the War Manpower Commission, and other agencies, to work out mutually satisfactory operations that would not involve duplication. For the record I am submitting a list of the agreements that were made with these agencies.

Then a list of the agreements with other agencies follows, on page 691 of the hearings, after which Mr. Keenan testified as follows:

Mr. KEENAN. As to what we have found in the Labor Department, at the last hearing a year ago, there were some complaints about our overlapping with the Conciliation Service and some of the other functions of the Labor Department. We met with the Secretary of Labor and straightened it out. Our job is entirely confined to war produc-

tion. Most of the work that we have is before anything happens. We are in production mainly, and if we find that there is dissatisfaction in the plant we go in and try to find out what the dissatisfaction is and start to straighten it out so we can increase production. We are building up a relationship between labor and management. I know that you know that many of these plants have just been organized in the last 3 or 4 years and they have not had much experience. There is generally a barrier between the two and we have been trying to get them to work together to increase production.

Mr. Chairman, I sincerely hope that the amendment offered by the gentleman from Wisconsin [Mr. KEEFE], will be defeated.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, may I earnestly solicit the attention of every member of this Committee? This is the most devastating amendment that has yet been offered or that will be offered to this bill. It is a proposition of the most serious import. I doubt whether many members of the Committee realize what disastrous effects would follow the adoption of such an amendment. It is aimed directly at production; it is potentially a handicap to production in every factory in the United States.

Mr. Chairman, this war is a war of production. We are winning and we are going to win simply because we have outproduced the enemy nations.

This amendment proposes to strike out the entire labor section of the War Production Board. It eliminates every labor administrative activity of the Board. It strikes out the administrative leadership of 6,000 of the labor-management committees. This is not a mere political amendment. It strikes at the heart of essential war production. If this provision should go out it would peril the production schedule of every war plant in the United States. The function of this section, which this amendment strikes out, is a function second to none. It keeps friction down and it keeps production up.

Let me read just one paragraph from the hearing in proof of what this amendment may be expected to do. Here is the testimony before the committee, and I hope you later read it yourself. You are dealing here with perhaps the most serious question that has come before the committee in the 2 days we have devoted to the consideration of this bill. Here it is. Mr. Keenan said:

I know of a particular case that we worked on in Republic Steel where for a year they were getting 450 or 500 tons of plate, and suddenly it dropped to 325 tons. We found out what was wrong and after working together with management and a man from the War Production Board we found where the difficulty was and got production up again. That is a job that a man from the conciliation service never could have gotten into.

That is the possible situation in every factory in the United States. You are



running the risk of cutting down production at the most critical period of the war. Our armed forces are now asking for more armaments; for more ordnance. They are asking for heavier field guns. They are asking for vast supplies of additional munitions. The request came only yesterday. They need more planes. They must have these supplies. The factories must produce them. We are burning up planes over there at a rate which few fully realize.

I sincerely hope the committee will consider seriously this far-reaching amendment. It should be voted down.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Missouri.

Mr. COCHRAN. As presented by the gentleman from Wisconsin [Mr. KEEFE], he developed an argument to show that there was duplication. As presented by the gentlewoman from New Jersey, and the gentleman from Missouri, there is absolutely no duplication.

Mr. CANNON of Missouri. There can be no duplication.

Mr. COCHRAN. I agree with the gentleman and I think the amendment should be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The Clerk read as follows:

#### WAR SHIPPING ADMINISTRATION

War Shipping Administration, revolving fund: To increase the War Shipping Administration revolving fund, \$450,000,000, which amount together with other funds heretofore or hereafter made available to such revolving fund, shall be available for carrying on all the activities and functions of the War Shipping Administration (not provided for under other appropriations made to said Administration), under Executive order of February 7, 1942 (7 F. R. 837), and heretofore or hereafter lawfully vested in such Administration, including costs incidental to the acquisition, operation, loading, discharging, and use of vessels transferred for use of any department or agency of the United States, for carrying out the provisions of Executive Order No. 9112 of March 26, 1942, and for all administrative expenses (not to exceed \$14,500,000 in the fiscal year 1945), including the employment and compensation of persons in the District of Columbia and elsewhere, such employment and compensation to be in accordance with laws applicable to the employment and compensation of persons by the United States Maritime Commission except section 201 (b) of the Merchant Marine Act, 1936 (49 Stat. 1985); expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; actual transportation and other necessary expenses and not to exceed \$25 per diem in lieu of subsistence of persons serving while away from their permanent homes or regular places of business in an advisory capacity to or employed by the Administration without other compensation from the United States or at \$1 per annum; printing and binding; lawbooks, books of reference, periodicals and newspapers; teletype services; purchase, maintenance, repair, rental in foreign countries, and operation of passenger-carrying automobiles; travel expenses, including transportation of effects under regulations prescribed by the Administrator, of employees from their homes to their first post of duty in a foreign country; rent, including heat,

light, and power, outside the District of Columbia; necessary advance payments in foreign countries; and the employment, on a contract or fee basis, of persons, firms, or corporations for the performance of special services, including legal services, without regard to section 3709 of the Revised Statutes or the civil-service and classification laws: *Provided*, That when vessels are transferred or assigned permanently by the War Shipping Administrator to other departments or agencies of the United States Government for operation by them, funds for the operation, loading, discharging, repairs, and alterations, or other use of such vessels may be transferred from this fund to the applicable appropriations of the department or agency concerned in such amounts as may be approved by the Director of the Bureau of the Budget: *Provided further*, That the Secretary of the Treasury is hereby authorized and directed to transfer the sum of \$100,000,000 from the marine and war risk insurance fund to the War Shipping Administration revolving fund.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

(Mr. HOFFMAN asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN. Mr. Chairman, under the rules of the House, permission having been previously granted, I have permission to revise and extend my remarks or I can follow a course which is often followed of stating in the RECORD that they will appear later. However, I believe in direct action on all occasions, and at this time I ask unanimous consent that I may omit from the RECORD the remarks made earlier in the day.

The CHAIRMAN. That permission will have to be obtained in the House and not in the Committee of the Whole.

The Clerk concluded the reading of the bill.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

Mr. MARCANTONIO. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

Mr. MARCANTONIO. Mr. Speaker, I demand tellers.

Tellers were ordered, and the Speaker appointed as tellers Mr. TARVER and Mr. CANNON of Missouri.

The House divided; and the tellers reported that there were—ayes 119, noes 123.

So the amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. KEEFE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KEEFE. I am, Mr. Speaker.

The Clerk read as follows:

Mr. KEEFE of Wisconsin moves to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith with the following amendment: "Reduce W. P. B. \$600,000."

Mr. CANNON of Missouri. I move the previous question, Mr. Speaker.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. CANNON of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 247, nays 58, not voting 123, as follows:

[Roll No. 72]

YEAS—247

Andersen, H. Carl	Dawson Day	Hoffman
Anderson, Calif.	Dewey	Hollifield
Anderson, N. Mex.	Dickstein	Holmes, Wash.
Andresen, August H.	Dilweg	Hope
Angell	Dingell	Horan
Arends	Dondero	Howell
Arnold	Dworshak	Izac
Auchincloss	Eberharter	Jennings
Baldwin, Md.	Elliott	Jensen
Baldwin, N. Y.	Ellis	Johnson, Anton J.
Barrett	Ellison, Md.	Johnson, Ind.
Bates, Ky.	Ellsworth	Johnson, J. Leroy
Bates, Mass.	Elmer	Johnson, Luther A.
Bender	Elston, Ohio	Johnson, Ward
Bennett, Mich.	Engel, Mich.	Jonkman
Bennett, Mo.	Engle, Calif.	Judd
Bishop	Fay	Kean
Blackney	Feighan	Kee
Bloom	Fellows	Kefauver
Bradley, Mich.	Fenton	Kelley
Bradley, Pa.	Fitzpatrick	Kilday
Brown, Ohio	Flannagan	Kirwan
Buffett	Fogarty	Klein
Burchill, N. Y.	Forand	LaFollette
Busbey	Ford	Lambertson
Butler	Gale	Lands
Byrne	Gamble	Lane
Canfield	Gifford	Lea
Cannon, Mo.	Gillespie	LeCompte
Carlson, Kans.	Gillette	LeFevre
Carrier	Gillie	Lemke
Carter	Goodwin	Lesinski
Case	Gordon	Luce
Celler	Gore	Ludlow
Chapman	Gorski	McConnell
Chenoweth	Graham	McCord
Chipperfield	Gregory	McCormack
Church	Gross	McCowan
Clark	Gwynne	McGregor
Clevenger	Hale	McMurray
Cochran	Hall	Maas
Coffee	Edwin Arthur	Madden
Cole, Mo.	Hall	Magnuson
Cooley	Leonard W.	Maloney
Cooper	Halleck	Mansfield
Courtney	Hancock	Mont
Crawford	Harness, Ind.	Mansfield, Tex.
Crosser	Hart	Marcantonio
Cunningham	Hays	May
Curtis	Herter	Michener
D'Alesandro	Hess	Miller, Conn.
Davis	Hill	Miller, Mo.
	Hoch	
	Hoeven	



Miller, Nebr.	Reed, Ill.	Stockman
Miller, Pa.	Reed, N. Y.	Sullivan
Mills	Rockwell	Sumner, Ill.
Monroney	Rogers, Mass.	Sundstrom
Mott	Rohrbough	Taber
Mruk	Rolph	Talle
Mundt	Rowan	Tarver
Murdock	Rowe	Thomas, N. J.
Murphy	Sabath	Thomason
Murray, Tenn.	Sadowski	Tibbott
Murray, Wis.	Sasser	Tolan
Myers	Sauthoff	Torrens
Norman	Scanlon	Voorhis, Calif.
Norton	Schiffner	Vorys, Ohio
O'Brien, Ill.	Schwabe	Walter
O'Brien, Mich.	Scott	Weichel, Ohio
O'Brien, N. Y.	Sheppard	Welch
O'Hara	Sheridan	Wene
O'Neal	Simpson, Ill.	White
Outland	Simpson, Pa.	Whittington
Phillips	Slaughter	Wickersham
Pittenger	Smith, Ohio	Wigglesworth
Ploeser	Smith, W. Va.	Willey
Plumley	Somers, N. Y.	Wilson
Poulson	Spence	Wolcott
Pratt,	Springer	Wolverton, N. J.
Joseph M.	Stanley	Woodruff, Mich.
Priest	Stefan	Woodrum, Va.
Rabaut	Stevenson	Wright
Ramey	Stewart	Zimmerman
Reece, Tenn.	Stigler	

## NAYS—58

Abernethy	Harris, Ark.	Ramspeck
Allen, La.	Hendricks	Rankin
Beckworth	Hobbs	Richards
Bland	Jarman	Rivers
Brooks	Keefe	Rizley
Brown, Ga.	Kleberg	Russell
Bryson	Lanham	Satterfield
Burch, Va.	McGehee	Short
Camp	McKenzie	Sikes
Colmer	McMillan	Smith, Va.
Cox	McWilliams	Sparkman
Cravens	Mahon	Starnes, Ala.
Drewry	Norrell	Thomas, Tex.
Fisher	O'Konski	West
Fulmer	Pace	Whitten
Gathings	Patman	Winstead
Gibson	Peterson, Fla.	Winter
Gossett	Peterson, Ga.	Worley
Grant, Ala.	Poage	
Hare	Price	

## NOT VOTING—123

Allen, Ill.	Gerlach	Merritt
Andrews, Ala.	Gilchrist	Morrow
Andrews, N. Y.	Granger	Monkiewicz
Barden	Grant, Ind.	Morrison, La.
Barry	Green	Morrison, N. C.
Beall	Griffiths	Newsome
Bell	Hagen	O'Connor
Bolton	Harless, Ariz.	O'Toole
Bonner	Harris, Va.	Patton
Boren	Hartley	Pfeiffer
Boykin	Hébert	Philbin
Brehm	Heffernan	Powers
Brumbaugh	Heldinger	Pracht,
Buckley	Hinshaw	C. Frederick
Bulwinkle	Holmes, Mass.	Randolph
Burdick	Hull	Rees, Kans.
Burgin	Jackson	Robertson
Cannon, Fla.	Jeffrey	Robinson, Utah
Capozzoli	Jenkins	Robison, Ky.
Carson, Ohio	Johnson,	Rodgers, Pa.
Clason	Calvin D.	Scrivner
Cole, N. Y.	Johnson,	Shafer
Compton	Lyndon B.	Smith, Maine
Costello	Johnson, Okla.	Smith, Wis.
Curley	Jones	Snyder
Delaney	Kearney	Stearns, N. H.
Dies	Kennedy	Sumners, Tex.
Dirksen	Keogh	Talbot
Disney	Kerr	Taylor
Doughton	Kilburn	Towe
Douglas	King	Treadway
Durham	Kinzer	Troutman
Eaton	Knutson	Vincent, Ky.
Fernandez	Kunkel	Vinson, Ga.
Fish	Larcade	Vursell
Folger	Lewis	Wadsworth
Fulbright	Lynch	Ward
Fuller	McLean	Wasielewski
Furlong	Manasco	Weaver
Gallagher	Martin, Iowa	Weiss
Gavin	Martin, Mass.	Welchel, Ga.
Gearhart	Mason	Wolfenden, Pa.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Grant of Indiana for, with Mr. Robertson against.

Mr. Gavin for, with Mr. Harris of Virginia against.

## General pairs:

Mr. Doughton with Mr. Knutson.  
Mr. Vincent of Kentucky with Mr. Carson of Ohio.  
Mr. Keogh with Mr. Martin of Massachusetts.  
Mr. Hébert with Mr. Dirksen.  
Mr. Barry with Mr. Rodgers of Pennsylvania.  
Mr. Randolph with Mrs. Smith of Maine.  
Mr. Kennedy with Mr. Allen of Illinois.  
Mr. King with Mr. Shafer.  
Mr. Delaney with Mr. Holmes of Massachusetts.  
Mr. Vinson of Georgia with Mr. Jenkins.  
Mr. Merritt with Mr. Taylor.  
Mr. Fernandez with Mr. Lewis.  
Mr. Buckley with Mr. Jones.  
Mr. O'Connor with Mr. Clason.  
Mr. Capozzoli with Mr. Scrivner.  
Mr. Sumners of Texas with Mr. Fuller.  
Mr. Pfeiffer with Mr. Griffiths.  
Mr. Manasco with Mr. Eaton.  
Mr. O'Toole with Mr. Douglas.  
Mr. Costello with Mr. Monkiewicz.  
Mr. Heffernan with Mrs. Bolton.  
Mr. Green with Mr. Martin of Iowa.  
Mr. Patton with Mr. Wolfenden of Pennsylvania.

Mr. Morrison of Louisiana with Mr. Cole of New York.

Mr. Burgin with Mr. Mason.  
Mr. Curley with Mr. Vursell.  
Mr. Bulwinkle with Mr. Towe.  
Mr. Philbin with Mr. Calvin D. Johnson.  
Mr. Larcade with Mr. Smith of Wisconsin.  
Mr. Newsome with Mr. Jeffrey.  
Mr. Wheelchel of Georgia with Mr. Hartley.  
Mr. Weaver with Mr. Robison of Kentucky.  
Mr. Bell with Mr. Gilchrist.  
Mr. Folger with Mr. Rees of Kansas.  
Mr. Fulbright with Mr. Powers.  
Mr. Furlong with Mr. Burdick.  
Mr. Wasielewski with Mr. Kilburn.  
Mr. Barden with Mr. Brehm.  
Mr. Cannon of Florida with Mr. Kinzer.  
Mr. Durham with Mr. Treadway.  
Mr. Granger with Mr. Kunkel.  
Mr. Johnson of Oklahoma with Mr. Talbot.  
Mr. Jackson with Mr. Fish.  
Mr. Dies with Mr. Troutman.  
Mr. Boren with Mr. Hagen.

Mr. DAVIS changed his vote from no to aye.

The result of the vote was announced as above recorded.

On motion of Mr. CANNON of Missouri, a motion to reconsider the vote by which the bill was passed and lay that motion on the table was agreed to.

## GENERAL LEAVE TO EXTEND

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to extend their own remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## INVESTIGATION BY COMMITTEE ON LABOR

Mr. SABATH, from the Committee on Rules, submitted the following resolution (H. Res. 230, Rept. No. 1524) authorizing the Committee on Labor to conduct and investigate the extent and character of aid now given by the Federal, State, and local governments and private agencies to the physically handicapped, and for other purposes which was re-

ferred to the House Calendar and ordered printed:

*Resolved*, That the Committee on Labor, acting as a whole or by subcommittee or subcommittees appointed by the chairman of said committee, is authorized and directed (1) to conduct thorough studies and investigation of the extent and character of aid now given by the Federal, State, and local governments and private agencies to the physically handicapped, (2) to study and investigate the diffusion within the United States of such aid to the physically handicapped, (3) employment opportunities for the physically handicapped, and all other questions in relation thereto which would aid the Congress in any necessary remedial legislation.

The said committee or any subcommittee is authorized to obtain and use for statistical purposes only, confidential information (1) from the record of the Selective Service System, (2) records from the War Manpower Commission and (3) from the records of the Bureau of the Census subject to the restrictions of 46 Statutes at Large 25, section 11 (U. S. C. 13: 211).

For the purposes of this resolution, the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed or has adjourned, to hold hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies, inquiries, and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend the remarks I made in the committee today and to include therein certain extracts from the hearings and from the report.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. RABAUT]?

There was no objection.

## SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES

Mr. BATES of Kentucky, from the Committee on Rules, submitted the following report (No. 1523), which was referred to the House Calendar and ordered to be printed:

The Committee on Rules, having had under consideration House Resolution 551, reports the same to the House with the recommendation that the resolution do pass with the following amendment:

"Page 1, line 1, after the word 'Resolved', strike out all the language thereafter, and insert in lieu thereof the following:

"That a special committee of seven members be appointed by the Speaker of the House of Representatives to investigate and report to the House not later than January 3, 1945, with respect to the following matters:

"1. The extent and nature of expenditures made by all candidates for the House of Representatives in connection with their cam-







78TH CONGRESS  
2D SESSION

# H. R. 4879

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IN THE SENATE OF THE UNITED STATES

MAY 29 (legislative day, MAY 9), 1944

Read twice and referred to the Committee on Appropriations

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## AN ACT

Making appropriations for war agencies for the fiscal year ending  
June 30, 1945, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any money  
4       in the Treasury not otherwise appropriated, for the sup-  
5       port of war agencies for the fiscal year ending June 30,  
6       1945, and for other purposes, namely:



## TITLE I

## EXECUTIVE OFFICE OF THE PRESIDENT

## OFFICE OF CENSORSHIP

Salaries and expenses: For all necessary expenses of the Office of Censorship, including the employment of aliens as examiners or translators; the employment of a Director and a deputy director at not exceeding \$10,000 and \$9,000 per annum, respectively; not to exceed \$20,000 for temporary personal services without regard to civil-service and classification laws; travel expenses (not to exceed \$165,000); travel expenses of appointees from point of induction in continental United States to their first posts of duty outside continental United States and such expenses of employees returning from their places of employment outside continental United States to their homes in the United States or possessions or in foreign countries; reimbursement at not to exceed 3 cents per mile to employees for expenses incurred by them for official travel in privately owned automobiles within the limits of their official stations; printing and binding (not to exceed \$275,000); rental of news and other reporting services; rental and/or operation of photographic, communication, and other equipment and devices; hire (and not to exceed \$3,500 for the purchase of motor-propelled passenger-carrying vehicles; purchase of guard uniforms; purchase of special wearing apparel or equipment for pro-

1 tection of employees while engaged in their work; not to  
2 exceed \$10,000 for scientific research on models, devices,  
3 and other items related to the functions of the Office of  
4 Censorship without regard to section 3709 of the Revised  
5 Statutes) ; \$29,700,000: *Provided*, That section 3709 of the  
6 Revised Statutes shall not be construed to apply to any  
7 purchase made by or service rendered for the Office of Cen-  
8 sorship outside the continental limits of the United States  
9 when the aggregate amount involved in such case does  
10 not to exceed \$500: *Provided further*, That not to exceed  
11 \$10,000 of this appropriation shall be available for expenses  
12 of a confidential character, to be expended under the direction  
13 of the Director who shall make a certificate of the amount  
14 of each such expenditure which he may think it advisable not  
15 to specify and every such certificate shall be deemed a  
16 sufficient voucher for the amount therein certified.

17 PETROLEUM ADMINISTRATION FOR WAR

18 Salaries and expenses: For all necessary expenses of  
19 the Petroleum Administration for War in performing its  
20 functions as prescribed by the President (Fed. Reg., Decem-  
21 ber 4, 1942), including not to exceed \$425,000 for  
22 personal services without regard to the civil-service and  
23 classification laws but no part of this sum shall be used  
24 to compensate any person who has been transferred from  
25 a classification pay status to an ungraded pay status;



1 printing and binding not to exceed \$25,000; and not to  
2 exceed \$390,000 for travel expenses; \$6,000,000: *Pro-*  
3 *vided*, That section 3709, Revised Statutes, shall not apply  
4 to any purchase or service rendered under this appropriation  
5 when the aggregate amount involved does not exceed \$300.

6 SELECTIVE SERVICE SYSTEM

7 Salaries and expenses, Selective Service System: For  
8 all expenses necessary for the operation and maintenance  
9 of the Selective Service System as authorized by the Selec-  
10 tive Training and Service Act of 1940 (50 U. S. C. App.  
11 301) ; including not to exceed \$400,000 for printing and  
12 binding; purchase, for replacement, of not to exceed thirty-  
13 two motor-propelled passenger-carrying vehicles; and,  
14 under such rules or regulations as may be prescribed  
15 by the Director of Selective Service, expenses of  
16 emergency medical care, including hospitalization, of regis-  
17 trants who suffer illness or injury, and the transportation,  
18 and burial, of the remains of registrants who suffer death,  
19 while acting under orders issued under the Selective Service  
20 law but such burial expenses shall not exceed \$150  
21 in any one case; \$61,500,000: *Provided*, That such  
22 amounts as may be necessary shall be available for the  
23 planning, directing, and operation of a program of work of  
24 national importance under civilian direction, either inde-  
25 pendently or in cooperation with governmental or non-

1 governmental agencies, and the assignment and delivery  
2 thereto of individuals found to be conscientiously opposed to  
3 participation in work of the land or naval forces, which  
4 cooperation with other agencies may include the furnishing  
5 of funds to and acceptance of money, services, or other  
6 forms of assistance from such nongovernmental agencies for  
7 the more effectual accomplishment of the work; and  
8 for the pay and allowances of such individuals at rates  
9 not in excess of those paid to persons inducted into  
10 the Army under the Selective Service System, and such  
11 privileges as are accorded such inductees: *Provided further,*  
12 That the travel of persons engaged in the administration of  
13 the Selective Service System, including commissioned, war-  
14 rant, or enlisted personnel of the Army, Navy, Marine  
15 Corps, or their reserve components, may be ordered by the  
16 Director or by such persons as he may authorize, and persons  
17 so traveling shall be entitled to transportation and subsistence  
18 or per diem in lieu of subsistence, at rates authorized by  
19 law: *Provided further,* That the Director of Selective  
20 Service, in prescribing per diem rates of allowance, not  
21 exceeding \$7, in lieu of subsistence for officers of the  
22 Army, Navy, and Marine Corps, and of the reserve com-  
23 ponents thereof, traveling on official business and away from  
24 their designated posts of duty, pursuant to the first paragraph  
25 of section 12 of the Act approved June 16, 1942 (37 U. S.



1 C. 112), is hereby authorized to prescribe such per diem  
2 rates of allowance, whether or not orders are given to such  
3 officers for travel to be performed repeatedly between two or  
4 more places in the same vicinity, and without regard to the  
5 length of time away from their designated posts of duty  
6 under such orders.

7 OFFICE OF STRATEGIC SERVICES

8 Salaries and expenses: For all expenses necessary to  
9 enable the Office of Strategic Services to carry out its func-  
10 tions and activities, including salaries of a Director at  
11 \$10,000 per annum, one assistant director and one deputy  
12 director at \$9,000 per annum each; procurement of neces-  
13 sary services, supplies and equipment without regard to  
14 section 3709, Revised Statutes; travel expenses, including  
15 expenses outside the United States without regard to  
16 the Standardized Government Travel Regulations and the  
17 Subsistence Expense Act of 1926, as amended (5 U. S. C.  
18 821-833) and any general provision for the fiscal year  
19 1945 to the contrary; preparation and transportation of  
20 the remains of officers and employees who die abroad or  
21 in transit, while in the dispatch of their official duties,  
22 to their former homes in this country or to a place not  
23 more distant for interment, and for the ordinary expenses  
24 of such interment; rental of news-reporting services; pur-  
25 chase of or subscription to commercial and trade reports;

1 the rendering of such gratuitous services and the disposi-  
2 tion, free or otherwise, of such materials as the Director  
3 deems advisable; purchase or rental and operation of pho-  
4 tographic, reproduction, duplicating and printing machines,  
5 equipment, and devices and radio-receiving and radio-send-  
6 ing equipment and devices; maintenance, operation, repair,  
7 and hire of motor-propelled or horse-drawn passenger-  
8 carrying vehicles and vessels of all kinds; printing and  
9 binding; exchange of funds without regard to section 3651,  
10 Revised Statutes (31 U. S. C. 543); purchase and free dis-  
11 tribution of firearms, guard uniforms, special clothing, and  
12 other personal equipment; the cost of a compartment or  
13 such other accommodations as may be authorized by the  
14 Director for security when authorized personnel are re-  
15 quired to transport secret documents or hand baggage con-  
16 taining highly technical and valuable equipment; \$57,000,-  
17 000, of which amount such sums as may be authorized by  
18 the Director of the Bureau of the Budget may be trans-  
19 ferred to other departments or agencies of the Government,  
20 either as advance payment or reimbursement of appropria-  
21 tion, for the performance of any of the functions or activities  
22 for which this appropriation is made: *Provided*, That \$37,-  
23 000,000 of this appropriation may be expended with-  
24 out regard to the provisions of law and regulations relating  
25 to the expenditure of Government funds or the employment



1 of persons in the Government service, and \$35,000,000 of  
2 such \$37,000,000 may be expended for objects of a con-  
3 fidential nature, such expenditures to be accounted for solely  
4 on the certificate of the Director of the Office of Strategic  
5 Services and every such certificate shall be deemed a suffi-  
6 cient voucher for the amount therein certified.

7 EXECUTIVE OFFICE OF THE PRESIDENT—

8 OFFICE FOR EMERGENCY MANAGEMENT

9 DIVISION OF CENTRAL ADMINISTRATIVE SERVICES

10 Salaries and expenses: For all necessary expenses of  
11 the Division of Central Administrative Services, including  
12 traveling expenses (not to exceed \$140,000); printing  
13 and binding (not to exceed \$50,000); \$7,783,000: *Pro-*  
14 *vided*, That there may be transferred from this appropria-  
15 tion to appropriations available to the constituent agencies  
16 of the Office for Emergency Management and to other  
17 agencies such amounts as may be necessary in connection  
18 with the transfer of functions from the Division to such  
19 agencies and funds so transferred shall be consolidated with  
20 and shall be expendable in the same manner as funds of the  
21 agencies to which functions are transferred.

22 OFFICE OF CIVILIAN DEFENSE

23 Salaries and expenses: For all necessary expenses of the  
24 Office of Civilian Defense, including salary of the Director

1 at not to exceed \$10,000 per annum; traveling expenses (not  
2 to exceed \$150,300); printing and binding (not to exceed  
3 \$13,000); \$538,500; and \$461,500 for storage, care, trans-  
4 portation, and inspection of property purchased from funds  
5 appropriated to the Office of Civilian Defense; in all,  
6 \$1,000,000.

7 The appropriation herein made for the Office of Civilian  
8 Defense shall constitute the total amount to be available for  
9 obligation by such agency during the fiscal year 1945 and  
10 shall not be supplemented by funds from any Federal source.

11 COMMITTEE ON FAIR EMPLOYMENT PRACTICE

12 For all expenses necessary to enable the Committee on  
13 Fair Employment Practice to carry out the functions vested  
14 in it by Executive Orders Numbered 8802 and 9346, in-  
15 cluding salary of a Chairman at not to exceed \$10,000 per  
16 annum and six other members at not to exceed \$25 per diem  
17 when actually engaged; travel expenses (not to exceed  
18 \$63,800); expenses of witnesses in attendance at Committee  
19 hearings, when necessary; printing and binding (not to  
20 exceed \$4,800); purchase of newspapers and periodicals  
21 (not to exceed \$500); and the temporary employment of  
22 persons, by contract or otherwise, without regard to section  
23 3709 of the Revised Statutes and the civil service and classi-  
24 fication laws (not to exceed \$8,900); \$500,000.



1 OFFICE OF THE COORDINATOR OF INTER-AMERICAN  
2 AFFAIRS

3       Salaries and expenses: For all necessary expenses of  
4 the Office of the Coordinator of Inter-American Affairs,  
5 including not to exceed \$15,000 for the temporary em-  
6 ployment of persons or organizations by contract or other-  
7 wise without regard to the civil-service and classification  
8 laws; employment of aliens; travel expenses, not to exceed  
9 \$175,000; printing and binding, not to exceed \$12,000;  
10 entertainment of officials and others of the other American  
11 republics; grants of money, property, or services to gov-  
12 ernmental and public or private nonprofit institutions and  
13 facilities in the United States and the other American  
14 republics; the free distribution, donation, or loan of publica-  
15 tions, phonograph records, radio scripts, radio transcrip-  
16 tions, art works, motion-picture scripts, motion-picture films,  
17 educational material, and other material and equipment;  
18 such other gratuitous assistance as the Coordinator may deem  
19 necessary and appropriate to carry out his program;  
20 expenses of transporting employees of the Office of the  
21 Coordinator and their effects from their homes to their  
22 places of employment in the other American republics,  
23 or from their homes in the other American republics  
24 to their places of employment, and return, when  
25 specifically authorized by the Coordinator; travel expenses

1 of dependents and transportation of personal effects, from  
2 their places of employment to their homes in the United  
3 States or in the possessions of the United States or in the  
4 other American republics, of employees for whom such  
5 expenses were paid by the Government on their assignment  
6 to posts in foreign countries; causing corporations to be  
7 created under the laws of the District of Columbia, any  
8 State of the United States, or any of the other American  
9 republics, to assist in carrying out the Coordinator's pro-  
10 gram and capitalizing such corporations: *Provided*, That  
11 corporations heretofore or hereafter created or caused to  
12 be created by the Coordinator primarily for operation out-  
13 side the continental United States shall determine and  
14 prescribe the manner in which their obligations shall be  
15 incurred and their expenses allowed and paid without re-  
16 gard to the provisions of law regulating the expenditure,  
17 accounting for and audit of Government funds, and may,  
18 in their discretion, employ and fix the compensation of  
19 officers and employees outside the continental limits of the  
20 United States without regard to the provisions of law ap-  
21 plieable to the employment and compensation of officers  
22 and employees of the United States: *Provided further*,  
23 That the Coordinator shall transmit to the President im-  
24 mediately upon the close of the fiscal year a complete  
25 financial report of the operations of such corporations;



1 \$18,000,000, of which \$4,000,000 is for the payment of ob-  
2 ligations incurred under the contract authorization of \$18,-  
3 000,000 under this head in the National War Agencies  
4 Appropriation Act, 1944, and in addition to said appro-  
5 priation the Coordinator is authorized to enter into contracts  
6 during the fiscal year 1945 in an amount not exceeding  
7 \$2,500,000 for obligations necessary for and incident to his  
8 program: *Provided further*, That not to exceed \$200,000  
9 of this appropriation shall be available to meet emergencies  
10 of a confidential character to be expended under the direc-  
11 tion of the Coordinator, who shall make a certificate of the  
12 amount of such expenditure which he may think it advisable  
13 not to specify and every such certificate shall be deemed  
14 a sufficient voucher for the amount therein certified: *Pro-*  
15 *vided further*, That notwithstanding the provisions of section  
16 3679, Revised Statutes (31 U. S. C. 665), the Coordi-  
17 nator is authorized in making contracts for the use of inter-  
18 national short-wave radio stations and facilities, to agree  
19 on behalf of the United States to indemnify the owners and  
20 operators of such radio stations and facilities, from such  
21 funds as may be hereafter appropriated for the purpose,  
22 against loss or damage on account of injury to persons or  
23 property arising from such use of said radio stations and  
24 facilities.

## OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For all necessary expenses of the Office of Defense Transportation, including salary of the Director at not to exceed \$12,000, traveling expenses (not to exceed \$900,000, including reimbursement, at not to exceed 3 cents per mile, of employees for official travel performed by them in privately owned automobiles within the limits of their official stations) ; printing and binding (not to exceed \$130,000, including not to exceed \$5,000 for printing and binding outside the continental limits of the United States without regard to provisions of law governing printing and binding (44 U. S. C. 111) ) ; payment, at rates not in excess of those fixed by law for witnesses attending in United States courts (28 U. S. C. 600c), of fees, mileage, and subsistence of witnesses appearing at hearings held by the Office of Defense Transportation in connection with the performance of its functions: *Provided*, That the payment of subsistence to witnesses shall be subject to certification by the Director of the Office of Defense Transportation or his designee, as to the necessity therefor; \$18,000,000.

## NATIONAL WAR LABOR BOARD

Salaries and expenses: For all necessary expenses of the National War Labor Board, including salaries at not to exceed \$10,000 per annum each for the four public members and not to exceed \$9,000 per annum each for the four



1 alternate public members of the Board; travel expenses (not  
2 to exceed \$1,000,000) ; printing and binding (not to exceed  
3 \$31,300) ; actual transportation and other necessary ex-  
4 penses, and not to exceed \$25 per diem in lieu of subsis-  
5 tence, whether or not in a travel status, of other members,  
6 alternate members and associate members of the Board  
7 while serving as such without other compensation from the  
8 United States; \$15,000,000.

9 OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

10 Salaries and expenses: For all necessary expenses of  
11 the Office of Scientific Research and Development, including  
12 the purchase of reports, documents, plans, or specifications;  
13 the employment by contract or otherwise, without regard  
14 to civil-service or classification laws, at not to exceed \$25  
15 per day for individuals, of engineers, scientists, civilian  
16 analysts, technicians, or other necessary professional per-  
17 sonnel or firms, corporations, or other organizations thereof;  
18 printing and binding; travel expenses, including, when spe-  
19 cifically authorized or approved by the Director of the Office,  
20 transportation of personal effects, of personnel to their first  
21 posts of duty outside continental United States, and return;  
22 travel expenses of personnel on official business outside con-  
23 tinental United States and away from designated posts of  
24 duty, on assignment with military forces, without regard to  
25 the Standardized Government Travel Regulations other than

1 paragraph 45; the cost of a compartment or such other accom-  
2 modation as may be authorized by the Director for security  
3 when authorized personnel are required to transport secret  
4 documents or hand baggage containing highly technical and  
5 valuable equipment; and not to exceed \$6,000 for the enter-  
6 tainment of officials of other countries, \$120,000,000: *Pro-*  
7 *vided*, That there may be paid from this appropriation to the  
8 National Academy of Sciences a sum not exceeding \$150,000  
9 for the administrative and overhead expenses incurred by  
10 said academy during the fiscal year 1945 in carrying out  
11 research projects for Federal agencies, and such sum shall  
12 be in addition to any reimbursement otherwise provided  
13 for: *Provided further*, That notwithstanding the provisions  
14 of section 3679 of the Revised Statutes (31 U. S. C.  
15 665), the Office of Scientific Research and Development  
16 is authorized, in making contracts for the conduct of inves-  
17 tigation or experiments, to agree on behalf of the United  
18 States to indemnify the contractor from such funds as may  
19 be hereafter appropriated for the purpose, against loss or  
20 damage to persons or property arising from such work:  
21 *Provided further*, That funds available to any agency of the  
22 Government for scientific, technical, or medical research,  
23 development, testing, construction of test models, experi-  
24 mental production, or the provision of facilities therefor,  
25 shall be available for transfer with the approval of the head



1 of the agency involved, in whole or in part, to the Office  
2 of Scientific Research and Development, and funds so trans-  
3 ferred shall be expendable in the same manner as this ap-  
4 propriation: *Provided further*, That the Office of Scientific  
5 Research and Development may sell, lease, lend, or otherwise  
6 dispose of, under such terms and conditions as it may deem  
7 advisable, devices, scientific or technical equipment, models,  
8 or other articles of personalty, developed, constructed, pro-  
9 duced in or purchased for the performance of its scientific  
10 or medical contracts, except articles acquired for administra-  
11 tive purposes, and all receipts from such dispositions shall be  
12 covered into the Treasury as miscellaneous receipts.

13 OFFICE OF WAR INFORMATION

14 Salaries and expenses: For all necessary expenses of the  
15 Office of War Information, including the employment of a  
16 Director and Associate Director at not exceeding \$12,000  
17 and \$10,000 per annum, respectively; not to exceed  
18 \$75,000 for the temporary employment in the United  
19 States of persons by contract or otherwise without regard to  
20 the civil service and classification laws; employment of  
21 aliens; employment of persons outside the continental limits  
22 of the United States without regard to the civil service  
23 and classification laws; travel expenses (not to exceed  
24 \$400,000 for travel within the continental limits of the  
25 United States); expenses of transporting employees and

1 their effects from their homes to their places of employ-  
2 ment in a foreign country and return to their homes in the  
3 United States; purchase of radio time and purchase or rental  
4 of facilities for radio transmission; purchase, rental, construc-  
5 tion, improvement, maintenance, and operation of facilities  
6 for radio transmission and reception, including real prop-  
7 erty outside the continental limits of the United States  
8 and temporary sentry stations, guard barracks, and enclosures  
9 for the security of short-wave broadcasting facilities  
10 within the continental limits of the United States without re-  
11 gard to the provisions of section 355, Revised Statutes (40  
12 U. S. C. 255), and other provisions of law affecting the pur-  
13 chase or rental of land and the construction of buildings  
14 thereon; advertising in foreign newspapers without regard to  
15 section 3828, Revised Statutes (44 U. S. C. 324); printing  
16 and binding (not to exceed \$2,710,389, for such expenses  
17 within the continental limits of the United States), includ-  
18 ing printing and binding outside the continental limits of  
19 the United States without regard to section 11 of the Act  
20 of March 1, 1919 (44 U. S. C. 111); purchase or rental  
21 and operation of photographic, reproduction, printing,  
22 duplicating, communication, and other machines, equip-  
23 ment, and devices; exchange of funds without regard to  
24 section 3651, Revised Statutes; purchase of four hundred and



1 eighty-six motor-propelled passenger-carrying vehicles for  
2 use outside the continental limits of the United States which  
3 may be acquired without regard to statutory limitations as to  
4 price and authority to purchase; acquisition, production, and  
5 free distribution of publications, phonograph records, radio  
6 transcriptions, motion-picture films, photographs and pic-  
7 tures, educational materials, and such other items as the Di-  
8 rector may deem necessary to carry out the program of the  
9 Office of War Information, and sale or rental of such items  
10 by contract or otherwise to firms or individuals for use  
11 outside the continental limits of the United States; pur-  
12 chase, repair, and cleaning of uniforms for use by porters,  
13 drivers, messengers, watchmen, and other custodial em-  
14 ployees outside continental United States; such gratui-  
15 tous expenses of travel and subsistence as the Director  
16 deems advisable in the fields of education, travel, radio,  
17 press, and cinema; not to exceed \$125,000 for enter-  
18 tainment of officials and others in the fields of education,  
19 radio, press, and cinema of other countries; payment of  
20 the United States' share of the expenses of the maintenance,  
21 in cooperation with any other of the United Nations, of  
22 organizations and activities designed to receive and dis-  
23 seminate information relative to the prosecution of the war;  
24 \$58,625,367: *Provided*. That, exclusive of the contingency  
25 fund mentioned in the last proviso hereof, not more than

1 \$48,562,101 (including living and quarters allowances)  
2 shall be allocated to the Overseas Operations Branch and  
3 not more than \$2,200,000 shall be allocated to the Domestic  
4 Operations Branch for the following functions only: Office  
5 of the Director, including book and magazine coordination,  
6 sections; Office of Program Coordination; News Bureau;  
7 Bureau of Special Services; Radio Bureau; Motion Picture  
8 Bureau, not exceeding \$50,000: *Provided further*, That  
9 notwithstanding the provisions of section 3679, Revised  
10 Statutes (31 U. S. C. 665), the Office of War Information  
11 is authorized in making contracts for the use of international  
12 short-wave radio stations and facilities, to agree on behalf  
13 of the United States to indemnify the owners and operators  
14 of said radio stations and facilities from such funds as may  
15 be hereafter appropriated for the purpose, against loss or  
16 damage on account of injury to persons or property arising  
17 from such use of said radio stations and facilities: *Provided*  
18 *further*, That not to exceed \$600,000 of this appropriation  
19 shall be available to meet emergencies of a confidential char-  
20 acter to be expended under the direction of the Director,  
21 who shall make a certificate of the amount of such expendi-  
22 ture which he may think it advisable not to specify and  
23 every such certificate shall be deemed a sufficient voucher  
24 for the amount therein certified: *Provided further*, That  
25 \$5,500,000 of this appropriation shall not be available for



1 expenditure unless the Director of the Office of War Infor-  
2 mation, with the approval of the President, shall determine  
3 that such funds in addition to the other funds provided herein  
4 for the Overseas Branch are necessary for carrying on activi-  
5 ties in conjunction with actual or projected military opera-  
6 tions and that accounts for these funds may be merged with  
7 regular accounts.

8 No part of this or any other appropriation shall be ex-  
9 pended by the Office of War Information for the preparation  
10 or publication of any pamphlet or other literature, except  
11 the United States Government Manual, for distribution to  
12 the public within the United States.

13 The appropriation herein made for the Office of War  
14 Information shall constitute the total amount to be available  
15 for obligation by such agency during the fiscal year 1945  
16 and shall not be supplemented by funds from any source  
17 except by reverse lend-lease.

18 OFFICE OF WAR MOBILIZATION

19 Salaries and expenses: For all necessary expenses of  
20 the Office of War Mobilization, including salary of the  
21 Director at \$15,000 per annum; salaries of two Assist-  
22 ant Directors at \$9,000 per annum each; not to exceed  
23 \$169,000 for the employment of persons or organizations by  
24 contract or otherwise without regard to section 3709, Revised

1 Statutes, or the civil-service and classification laws; and  
2 printing and binding; \$900,000.

3 WAR PRODUCTION BOARD

4 Salaries and expenses: For all necessary expenses of  
5 the War Production Board, including salary of the Chair-  
6 man at \$15,000 per annum, and salaries of six vice chair-  
7 men or principal officials at \$10,000 per annum each; the  
8 employment of aliens; the employment of expert witnesses;  
9 not to exceed \$20,000 for the temporary employment of  
10 persons or organizations, by contract or otherwise, without  
11 regard to the civil-service or classification laws; not to exceed  
12 \$5,000 for entertainment of officials of other countries when  
13 specifically authorized or approved by the Chairman; reim-  
14 bursement at not to exceed 3 cents per mile, of employees  
15 for expenses incurred by them in performance of official  
16 travel in privately owned automobiles within the limits of  
17 their official stations; not to exceed \$4,625,000 for travel  
18 expenses, including travel to and from their homes or regular  
19 places of business in accordance with the Standardized Travel  
20 Regulations, including travel in privately owned automobile  
21 (and including per diem in lieu of subsistence at place of  
22 employment), of persons employed intermittently away from  
23 their homes or regular places of business as compliance com-  
24 missioners and receiving compensation on a per diem when



1 actually employed basis; not to exceed \$1,217,000 for print-  
2 ing and binding; not to exceed \$4,500,000 for scientific  
3 research on materials, material substitutes, and other subjects  
4 related to the functions of the Board, without regard to  
5 section 3648, Revised Statutes; and the rental, main-  
6 tenance and operation of one airplane; \$67,500,000: *Pro-*  
7 *vided*, That the requirement in section 301 of the Treas-  
8 ury and Post Office Departments Appropriation Act, 1943,  
9 and in section 201 (a) of the Independent Offices Appro-  
10 priation Act, 1944, that the payment of expenses of travel  
11 of employees on transfer from one official station to another  
12 must be authorized in the order directing the transfer is  
13 hereby waived with respect to such travel performed, with  
14 the approval of the Chairman of the Board, or his designee,  
15 in the fiscal year 1943, and in the fiscal year 1944 prior  
16 to November 1, 1943.

17 Smaller War Plants Corporation, administrative ex-  
18 penses: Not to exceed \$10,000,000 of the funds of the  
19 Smaller War Plants Corporation, acquired in accordance with  
20 the Act of June 11, 1942 (Public Law 603), shall be avail-  
21 able for the administrative expenses of such Corporation  
22 necessary to enable it to carry out the functions vested in it  
23 by such Act, to carry out the provisions of section 2 of such  
24 Act, and such other functions as may be lawfully delegated  
25 to the Corporation; not to exceed \$10,000 for the employ-

1 ment of aliens; not to exceed \$500,000 for the temporary  
2 employment of persons or organizations by contract or other-  
3 wise without regard to the civil-service and classification laws  
4 for special services, including audits notwithstanding section 5  
5 of the Act of April 6, 1914 (5 U. S. C. 55) ; printing and  
6 binding; reimbursement, at not to exceed 3 cents per mile,  
7 of employees for expenses incurred by them in performance  
8 of official travel in privately owned automobiles within the  
9 limits of their official stations; the hire of motor-propelled  
10 passenger-carrying vehicles; procurement of supplies, equip-  
11 ment, and services without regard to section 3709 of the  
12 Revised Statutes where the amount involved in any one  
13 case does not exceed \$300; and rent in the District  
14 of Columbia: *Provided*, That, as determined by the chair-  
15 man of the Board of Directors, or such officer as may be  
16 designated by the Board of Directors for the purpose,  
17 expenditures (including expenditures for services performed  
18 on a force account or contract or fee basis) necessary  
19 in acquiring, operating, maintaining, improving, or dis-  
20 posing of real or personal property belonging to the Cor-  
21 poration or in which it has an interest (except property  
22 acquired for the administrative purposes of the Corporation) ,  
23 including expenses of collections of pledged collateral and  
24 expenses of service and administration of its loans, advances,  
25 and property under section 6 of said Act of June 11, 1942,



1 shall be considered as nonadministrative expenses for the  
2 purposes hereof: *Provided further*, That no part of said  
3 \$10,000,000 shall be obligated or expended unless and until  
4 an appropriate appropriation account shall have been estab-  
5 lished therefor pursuant to an appropriation warrant or a  
6 covering warrant, and all such expenses shall be accounted  
7 for and audited in accordance with the Budget and Account-  
8 ing Act.

9                                   WAR SHIPPING ADMINISTRATION

10       War Shipping Administration, revolving fund: To in-  
11 crease the War Shipping Administration revolving fund,  
12 \$450,000,000, which amount, together with other funds here-  
13 tofore or hereafter made available to such revolving fund,  
14 shall be available for carrying on all the activities and func-  
15 tions of the War Shipping Administration (not provided for  
16 under other appropriations made to said Administration),  
17 under Executive order of February 7, 1942 (7 F. R. 837),  
18 and heretofore or hereafter lawfully vested in such Admin-  
19 istration, including costs incidental to the acquisition, opera-  
20 tion, loading, discharging, and use of vessels transferred for  
21 use of any department or agency of the United States, for  
22 carrying out the provisions of Executive Order Numbered  
23 9112 of March 26, 1942, and for all administrative expenses  
24 (not to exceed \$14,500,000 in the fiscal year 1945),  
25 including the employment and compensation of persons in

1 the District of Columbia and elsewhere, such employment  
2 and compensation to be in accordance with laws applicable  
3 to the employment and compensation of persons by the  
4 United States Maritime Commission except section 201 (b)  
5 of the Merchant Marine Act, 1936 (49 Stat. 1985); ex-  
6 penses of attendance, when specifically authorized by the  
7 Administrator, at meetings concerned with the work of  
8 the Administration; actual transportation and other neces-  
9 sary expenses and not to exceed \$25 per diem in lieu of  
10 subsistence of persons serving while away from their  
11 permanent homes or regular places of business in an ad-  
12 visory capacity to or employed by the Administration  
13 without other compensation from the United States or at  
14 \$1 per annum; printing and binding; lawbooks, books of  
15 reference, periodicals and newspapers; teletype services;  
16 purchase, maintenance, repair, rental in foreign countries,  
17 and operation of passenger-carrying automobiles; travel ex-  
18 penses, including transportation of effects under regulations  
19 prescribed by the Administrator, of employees from their  
20 homes to their first post of duty in a foreign country; rent,  
21 including heat, light, and power, outside the District of  
22 Columbia; necessary advance payments in foreign countries;  
23 and the employment, on a contract or fee basis, of  
24 persons, firms, or corporations for the performance of  
25 special services, including legal services, without regard



1 to section 3709 of the Revised Statutes or the civil-service  
2 and classification laws: *Provided*, That when vessels are  
3 transferred or assigned permanently by the War Shipping  
4 Administrator to other departments or agencies of the United  
5 States Government for operation by them, funds for the  
6 operation, loading, discharging, repairs, and alterations,  
7 or other use of such vessels may be transferred from this  
8 fund to the applicable appropriations of the department or  
9 agency concerned in such amounts as may be approved by  
10 the Director of the Bureau of the Budget: *Provided further*,  
11 That the Secretary of the Treasury is hereby authorized and  
12 directed to transfer the sum of \$100,000,000 from the marine  
13 and war risk insurance fund to the War Shipping Admin-  
14 istration, revolving fund.

15 Maritime training fund, War Shipping Administration:  
16 For the training, recruitment, repatriation, rehabilitation,  
17 and placement of personnel for the manning of the merchant  
18 marine, and the establishment and maintenance of policies  
19 respecting maritime labor relations and conditions, and for  
20 administrative expenses (not to exceed \$4,000,000)  
21 including all the administrative items of expenditure  
22 for which the appropriation "War Shipping Admin-  
23 istration, revolving fund", is available, and not to exceed  
24 \$2,500 for contingencies for the Superintendent, United  
25 States Merchant Marine Academy, to be expended in his dis-

1 cretion, \$80,000,000, of which \$2,700,000 shall be avail-  
2 able for payment of obligations incurred in the fiscal year  
3 1944: *Provided*, That the amount which may be expended  
4 for administrative expenses in the fiscal year 1944 is hereby  
5 increased from \$2,600,000 to \$2,700,000.

6 State marine schools, War Shipping Administration:  
7 To reimburse the State of California, \$50,000; the State of  
8 Maine, \$50,000; the State of Massachusetts, \$50,000; the  
9 State of New York, \$50,000; and the State of Pennsylvania,  
10 \$50,000; for expenses incurred in the maintenance and  
11 support of marine schools in such States as provided in the  
12 Act authorizing the establishment of marine schools, and  
13 so forth, approved March 4, 1911, as amended (34 U. S. C.  
14 1121-1123) ; and for the maintenance and repair of vessels  
15 loaned by the United States to the said States for use in  
16 connection with such State marine schools, \$100,000; in all,  
17 \$350,000.

18 OFFICE FOR EMERGENCY MANAGEMENT—GENERAL

19 PROVISIONS

20 (a) The head of any constituent agency may delegate  
21 to any official in such agency or in the field offices of the  
22 Division of Central Administrative Services the authority  
23 to make appointments of personnel and he may also delegate  
24 to any official in the agency of which he is the head the  
25 authority to make other determinations necessary for the



1 conduct of the administrative management within such  
2 agency.

3 (b) Any employee of any of the constituent agencies  
4 is authorized, when designated for the purpose by the head  
5 of such agency, to administer to or take from any person  
6 an oath, affirmation, or affidavit, when such instrument is  
7 required in connection with the performance of the functions  
8 or activities of such agency.

9 (c) The head of any of the constituent agencies is  
10 authorized, in connection with the operations of such agency,  
11 to consider, ascertain, adjust, determine, and certify claims  
12 against the United States in accordance with the Act  
13 of December 28, 1922 (31 U. S. C. 215), and to designate  
14 certifying officers in accordance with the Act of December  
15 29, 1941, or to delegate authority to the Director of the Divi-  
16 sion of Central Administrative Services to designate em-  
17 ployees of such Division as certifying officers to certify  
18 vouchers payable against the funds of the constituent agency  
19 concerned.

20 (d) The appropriations for the constituent agencies  
21 under the Office for Emergency Management for the fiscal  
22 year 1945 shall be available for the hire of motor-propelled  
23 passenger-carrying vehicles, and the appropriations for such  
24 agencies for the fiscal year 1944 shall be construed as having  
25 been available for such purpose.

## DEPARTMENT OF THE INTERIOR

## WAR RELOCATION AUTHORITY

Salaries and expenses: For all necessary expenses of the War Relocation Authority, \$39,000,000, including expenses incident to the extension of the program provided for in Executive Order 9102 to persons of Japanese ancestry not evacuated from military areas; salary of the Director at not to exceed \$10,000 per annum; employment of aliens; traveling expenses, not to exceed \$375,000; printing and binding, not to exceed \$28,000; procurement, without regard to section 3709, Revised Statutes, of supplies and equipment (with or without personal services); purchase for replacement (not to exceed \$50,000) of passenger-carrying automobiles; the leasing to others of land acquired for the program; purchase of uniforms for internal security officers; transfer of household goods and effects as provided by the Act of October 10, 1940, including travel expenses, of employees transferred from other Federal agencies to the Authority at its request; not to exceed \$10,000 for payment to States or political subdivisions thereof, or other local public taxing units, of sums in lieu of taxes against real property acquired by the Authority for the purposes hereof; for payments for the performance of governmental services required in connection with the administration of the program; the disposal, by public or private sale, of



1 goods or commodities produced or manufactured in the  
2 performance of activities hereunder, the proceeds of which  
3 shall be deposited in a special fund which shall remain  
4 available until June 30, 1945, for the purposes here-  
5 of: *Provided*, That the provisions of the Act of Feb-  
6 ruary 15, 1934 (48 Stat. 351), as amended, relating to  
7 disability or death compensation and benefits, shall apply to  
8 persons receiving from the United States compensation in  
9 the form of subsistence, cash advances, or other allowances  
10 in accordance with regulations prescribed by the Director of  
11 the War Relocation Authority for work performed in con-  
12 nection with such program, including work performed in the  
13 War Relocation Work Corps: *Provided further*, That this  
14 provision shall not apply in any case coming within the  
15 purview of the workmen's compensation laws of any State,  
16 Territory, or possession, or in which the claimant has re-  
17 ceived or is entitled to receive similar benefits for injury  
18 or death: *Provided further*, That the Secretary of the In-  
19 terior may delegate to any official in the War Relocation  
20 Authority the authority to make appointments of personnel  
21 and he may also delegate to any official in the War Reloca-  
22 tion Authority the authority to make other determinations  
23 necessary for the conduct of administrative management  
24 within the Authority: *And provided further*, That the limi-

1 tation placed on the amount available for travel expenses  
2 for the War Relocation Authority shall not apply to travel  
3 of evacuees and their escorts incident to transfers and relo-  
4 cation.

## 5 TITLE II—GENERAL PROVISIONS

6 SEC. 201. The appropriations in this Act for salaries and  
7 expenses shall be available, in addition to the objects specified  
8 under each head, and without regard to section 3709, Revised  
9 Statutes (except as otherwise specified herein), for personal  
10 services in the District of Columbia and elsewhere; contract  
11 stenographic reporting services; lawbooks, books of reference,  
12 newspapers and periodicals; maintenance, operation, and re-  
13 pair of motor-propelled passenger-carrying vehicles; accept-  
14 ance and utilization of voluntary and uncompensated services;  
15 and traveling expenses, including expenses of attendance at  
16 meetings of organizations concerned with the work of the  
17 agency from whose appropriation such expenses are paid, and  
18 actual transportation and other necessary expenses, and not to  
19 exceed \$10 (unless otherwise specified) per diem in lieu of  
20 subsistence, of persons serving while away from their perma-  
21 nent homes or regular places of business in an advisory  
22 capacity to or employed by any of such agencies without  
23 other compensation from the United States, or at \$1 per  
24 annum, and including (upon authorization or approval of



1 the head of any of such agencies) travel expenses to and  
2 from their homes or regular places of business in accordance  
3 with the Standardized Government Travel Regulations, in-  
4 cluding travel in privately owned automobile (and including  
5 per diem in lieu of subsistence at place of employment),  
6 of persons employed intermittently away from their homes  
7 or regular places of business as consultants and receiving  
8 compensation on a per diem when actually employed basis.

9       SEC. 202. Whenever sums are set apart from the appro-  
10 priations in this Act for special projects (classified in the  
11 estimates submitted to Congress as or under "Other con-  
12 tractual services") expenditures may be made therefrom for  
13 traveling expenses, printing and binding, and purchase of  
14 motor-propelled passenger-carrying vehicles without regard  
15 to the limitations specified for such objects under the respec-  
16 tive heads, but within such amounts as the Director of the  
17 Bureau of the Budget may approve therefor and such Direc-  
18 tor shall report to Congress each such limitation determined  
19 by him: *Provided*, That such limitations shall not apply  
20 where the special projects are performed by non-Government  
21 agencies.

22       SEC. 203. With the prior approval of the Bureau of the  
23 Budget and under authority of section 601 of the Act of June  
24 30, 1932, as amended (31 U. S. C. 686), orders for work

1 or services to be performed by other agencies of the Govern-  
2 ment may be placed by any of the agencies whose appropria-  
3 tions are contained in this Act, but no agency shall perform  
4 work or render services with or without reimbursement (in-  
5 cluding the detail or loan of personnel) for any of the agen-  
6 cies whose appropriations are contained in this Act except in  
7 pursuance of orders so approved or under specific authority  
8 of other law. This provision shall not apply to the Office  
9 of Strategic Services.

10 SEC. 204. The foregoing sections 201, 202, and 203  
11 shall have no application to appropriations for the War  
12 Shipping Administration.

13 SEC. 205. For the purposes of section 303 of the First  
14 Supplemental National Defense Appropriation Act, 1944,  
15 and any similar general provisions for the fiscal year 1945,  
16 persons serving the Government at \$1 per annum shall be  
17 considered as serving without compensation.

18 SEC. 206. No part of any appropriation contained in  
19 this Act shall be used to pay the salary or wages of  
20 any person who advocates, or who is a member of an  
21 organization that advocates, the overthrow of the Government  
22 of the United States by force or violence: *Provided*, That for  
23 the purposes hereof an affidavit shall be considered prima  
24 facie evidence that the person making the affidavit does not



1 advocate, and is not a member of an organization that  
2 advocates, the overthrow of the Government of the United  
3 States by force or violence: *Provided further*, That any  
4 person who advocates, or who is a member of an organiza-  
5 tion that advocates, the overthrow of the Government of  
6 the United States by force or violence and accepts employ-  
7 ment the salary or wages for which are paid from any  
8 appropriation contained in this Act shall be guilty of a felony  
9 and, upon conviction, shall be fined not more than \$1,000  
10 or imprisoned for not more than one year, or both: *Provided*  
11 *further*, That the above penalty clause shall be in addition  
12 to, and not in substitution for, any other provisions of existing  
13 law.

14 SEC. 207. If at any time during the fiscal year 1945  
15 the termination of the Act entitled "An Act to provide tem-  
16 porary additional compensation for employees in the Postal  
17 Service", approved April 9, 1943, or of the Act entitled  
18 "An Act to provide for the payment of overtime compensa-  
19 tion to Government employees, and for other purposes",  
20 approved May 7, 1943, shall be fixed by concurrent resolu-  
21 tion of the Congress at a date earlier than June 30, 1945,  
22 the appropriations contained in this Act shall cease to be  
23 available on such earlier date for obligation for the purposes  
24 of the terminated Act and the unobligated portions of ap-  
25 propriations allocated for the purposes of such terminated

1 Act shall not be obligated for any other purposes of the  
2 appropriation during the fiscal year 1945.

3 SEC. 208. This Act may be cited as the "National War  
4 Agency Appropriation Act, 1945".

Passed the House of Representatives May 26, 1944.

Attest:

SOUTH TRIMBLE,

*Clerk.*



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## AN ACT

Making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

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MAY 29 (legislative day, MAY 9), 1944

Read twice and referred to the Committee on Appropriations

"Resolved, that the clerk of the house of representatives and he is hereby directed to forward official copies of this resolution to each Senator and Representative of the State of Louisiana in the Congress of the United States."

#### VETERANS' BENEFITS—PETITION

Mr. CAPPER. Mr. President, I have received a petition from the Fathers of Sons and Daughters in the Armed Forces and members of the Arkansas City Chapter of the American War Dads, of Kansas City, Kans., asking for the passage of H. R. 3938, H. R. 3940, H. R. 3941, H. R. 4115, H. R. 3945, and S. 1547, all of which have been approved by the National Council of War Dads. I ask unanimous consent to have this petition inserted in the Record without all the signatures attached, and that it be appropriately referred.

There being no objection, the petition was referred to the Committee on Finance and ordered to be printed in the Record, without all the signatures attached, as follows:

Hon. ARTHUR CAPPER,

*Senate Office Building,  
Washington, D. C.:*

We, the Fathers of Sons and Daughters in the Armed Forces and members of the Arkansas City Chapter of the American War Dads, respectfully request that when the following bills come up on the floor for consideration that you vote for them.

H. R. 3935, introduced January 11, by Mrs. ROGERS of Massachusetts. To authorize an appropriation of \$500,000,000, earmarked for the Veterans' Administration, to provide additional hospital and out-patient dispensary facilities.

H. R. 3938, introduced January 11, by Mr. McMILLAN, of South Carolina. To provide that in determining annual income any payments by the United States covering disability or death under laws administered by the Veterans' Administration or payments of insurance or contributory social-security benefits shall not be considered.

H. R. 3940, introduced January 11, by Mr. LAFOLLETTE, of Indiana. To provide compulsory retirement of Federal employees who have rendered 30 years' service and payment to such employees of an annuity of not less than \$1,200.

H. R. 3940, introduced January 11, by Mr. SCANLON, of Pennsylvania. To give credit for service in the military or naval forces in civil service examinations and classifications in positions requiring similar types of experience.

H. R. 4115. Give honorably discharged veterans, their widows, wives of disabled veterans, who themselves are not qualified, preference in employment when Federal funds are used.

H. R. 3945, introduced January 11, by Mr. DAVIS of Tennessee. To prohibit exclusion from cemeteries of grave markers supplied by United States Government for deceased veterans.

S. 1547, payment of a minimum 240 monthly installments on National Service Life Insurance.

S. 1547, recommends legislation making insurance under the National Life Insurance Act effective as of the date of application therefor.

And all other bills approved by National Council of War Dads.

H. V. HOWARD,  
W. BONEWELL,  
J. H. BOEHNER,  
LYSLE BURNS

(And sundry other citizens  
of Kansas City, Kans.).

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. REVERCOMB, from the Committee on Military Affairs:

S. 1825. A bill to extend the provisions of the Selective Training and Service Act of 1940, as amended, to the Virgin Islands; without amendment (Rept. No. 916).

By Mr. JOHNSON of Colorado:

From the Committee on Military Affairs:  
H. R. 1506. A bill to further amend the Pay Adjustment Act of 1942; with amendments (Rept. No. 917).

From the Committee on Finance:

S. 1933. A bill to extend for 2 additional years the provisions of the Sugar Act of 1937, as amended, and the taxes with respect to sugar; without amendment (Rept. No. 918).

By Mr. MURDOCK, from the Committee on the Judiciary:

H. R. 4348. A bill to amend the act approved August 18, 1942, entitled "An act to facilitate the disposition of prizes captured by the United States during the present war, and for other purposes; without amendment (Rept. No. 920).

By Mr. WILEY, from the Committee on the Judiciary:

S. 1877. A bill to transfer Georgetown County, S. C., from the Florence division to the Charleston division of the eastern judicial district of South Carolina; without amendment (Rept. No. 921).

#### INCREASE OF THE DEBT LIMIT—REPORT OF THE FINANCE COMMITTEE

Mr. GEORGE. Mr. President, from the Committee on Finance I report back favorably, with an amendment, House bill 4464, to increase the debt limit of the United States and I submit a report (No. 919) thereon.

The ACTING PRESIDENT pro tempore. Without objection, the report will be received and the bill will be placed on the calendar.

Mr. GEORGE. I give notice that I will ask for consideration of the bill on next Wednesday.

#### ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on May 26, 1944, that committee presented to the President of the United States the enrolled bill (S. 683) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GREEN:

S. 1954. A bill to amend the act entitled "An act to authorize the use for war purposes of silver held or owned by the United States," approved July 12, 1943; to the Committee on Banking and Currency.

By Mr. JOHNSON of Colorado:

S. 1955 A bill to amend Public Law 101, Seventy-eighth Congress; to the Committee on Military Affairs.

By Mr. ELLENDER (for Mr. HILL):

S. 1956. A bill to provide for a Department of Armed Forces, Secretary of the Armed Forces, Under Secretaries of Army, Navy, and Air, and for other purposes; to the Committee on Military Affairs.

(Mr. VANDENBERG introduced Senate bill 1957, which was referred to the Committee on

Interstate Commerce, and appears under a separate heading.)

By Mr. AUSTIN:

S. 1958. A bill for the relief of fire district No. 1 of the town of Colchester, Vt.; to the Committee on Claims.

#### AMENDMENT OF THE COMMUNICATIONS ACT

Mr. VANDENBERG. Mr. President, in view of the fact that the Interstate Commerce Committee is considering a new radio code, I ask consent to introduce for the Senator from Idaho [Mr. CLARK] a bill to prohibit interference with the broadcasting of any noncommercial, cultural, educational programs. The bill would be presented by the Senator from Idaho if he were not necessarily out of the city, he being chairman of the special committee which has been investigating this matter. The chief and important objective is to release music of American school children from the domination of James Caesar Petrillo. I introduce the bill, and ask that it be referred to the Committee on Interstate Commerce.

There being no objection, the bill (S. 1957) to amend the Communications Act of 1934, as amended, so as to prohibit interference with the broadcasting of noncommercial cultural, educational programs, was read twice by its title and referred to the Committee on Interstate Commerce.

#### HOUSE BILL REFERRED

The bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

#### RIVER AND HARBOR FLOOD-CONTROL WORKS—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

#### AMENDMENT OF THE COMMUNICATIONS ACT—AMENDMENT

Mr. JOHNSON of Colorado submitted an amendment intended to be proposed by him to the bill (S. 814) to amend the Communications Act of 1934, and for other purposes, which was referred to the Committee on Interstate Commerce and ordered to be printed.

#### INVESTIGATION RELATING TO IMMIGRATION AND DEPORTATION OF ALIENS

Mr. HOLMAN submitted the following resolution (S. Res. 296), which was referred to the Committee on Immigration:

Resolved, That the Committee on Immigration, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the immigration of aliens into and the deportation of aliens from the United States with a view to determining among other things, (1) the extent to which aliens have been permitted to enter or remain in the United States in violation of the immigration laws, (2) whether any deficiencies exist in the immigration or deportation laws or in the admin-



istration thereof which permit undesirable or deportable aliens or aliens who compete with citizens of the United States in securing employment to enter or remain in the United States, and (3) necessary steps to be taken in order to correct any such deficiencies and to prevent the continuation of any violation or circumvention of the immigration or deportation laws. The committee or subcommittee shall report to the Senate, at the earliest practicable date, the results of its investigation, together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-eighth and succeeding Congresses, to employ such clerical and other assistants, to utilize the services, information, facilities, and personnel of the departments and agencies of the Government, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

#### ADMISSION OF EUROPEAN WAR REFUGEES TO THE UNITED STATES

Mr. GILLETTE. Mr. President, I am about to send to the desk a resolution for submission and reference, but before sending it forward I wish to make a brief allusion to it.

Several years ago, at the outbreak of the war, Nazi Germany embarked upon a program for the consummation of one of the most despicable crimes of history, if not the most despicable, looking to the mass murder and extermination of a race of people. According to well authenticated reports, they have destroyed between four and five million people, and are engaged in attempting to destroy the pitiful remnants of this group.

In March 1943 the Congress of the United States, taking cognizance of this situation by concurrent resolution, expressed its condemnation of what it called the mass murder of Jewish men, women, and children.

Subsequent to the passage of that resolution 11 Members of this body joined with me in the presentation of a resolution urging the President of the United States to set up a board, composed of diplomatic, financial, and military experts, to study the matter, and devise ways and means of rescuing the remnants of these people. The resolution was reported unanimously to this body by the Senate Committee on Foreign Relations, and immediately after that the President of the United States created such a Board, composed of the Secretary of State, the Secretary of the Treasury, and the Secretary of War as the War Rescue Board. This Board has been functioning through agents which it has selected, and has accomplished wonderful things in the progress it has made in the direction of its goal, but it has reached a point where it needs help. In that connection I am going to impose on the Senate by reading a press dispatch which certainly challenges the attention

of anyone who has a spark of human decency in his heart. The press dispatch is dated Istanbul, May 1944, and is as follows:

According to official diplomatic dispatches, the Hungarian Government of Premier Deome Sztojay has launched a program of torture and extermination of the wandering Jews now in that country. Vast gas chambers (and gas baths) of the Nazi pattern are being erected for carrying out this mass execution.

The present large number of Jews in Hungary is in part due to the fact that many refugees, escaping from Poland and other countries, found temporary sanctuary, or at least comparative safety, in that country. Now that the Nazis have taken over, the picture has changed overnight.

It is reported that a total of five and one-half million Jews have been put to death—one way or another—since the war began. Of these, literally hundreds of thousands of men, women, and children perished in the so-called gas baths of Poland. A common Nazi practice was to herd the intended victims into sanitary baths as they came off the cattle trains in Poland, on the pretext of cleansing them before their transhipment to the Ukraine for colonization. Actually these sanitary baths were lethal chambers from which no one came out alive.

A neutral diplomat, writing in official press dispatches, condemns the present Hungarian Government, saying, "Were I not here to witness it with my own eyes, I would never have believed that Magyars were capable of perpetrating such inhuman acts against honest, law-abiding citizens, whose only sin is that they are members of the faith which is the mother of Christianity. Never in my career was I so eager to be relieved of my post as I am today. The cruelty of the Government is beyond my comprehension, and I fail to understand how men calling themselves gentlemen and aristocrats can be so heartless and brutal to their fellow men."

Mr. President, that concludes the statement of the diplomat and also the press dispatch.

The resolution which I am submitting has one purpose, and one only, namely, the purpose of saving human lives. It has nothing to do with Palestine or with the political problems involving providing a homeland for the Jewish people. It has nothing to do with Zionism. It has nothing to do with a Palestinian army. It has nothing to do with changing in any way our immigration laws or policies. It merely looks to provision for the temporary admission of some of these Jews and other special victims of Nazi brutality who have been marked for extermination and slaughter to Ellis Island or other reception centers, where they will be detained and cared for until they can be returned to their homes without the risk of losing their lives at the hands of our vicious enemies.

We have in this country at the present moment more than 100,000 prisoners of war. With the further success of our arms we will probably have hundreds of thousands more. These men have borne arms against this Nation. We are feeding and clothing them, and when the war is over they will be returned safely to their homes. This is in accordance with accepted standards of decency and humanity in international relationships. We ought at least to do this much for the thousands of harmless and defenseless people who are the especial victims

of Nazi brutality and sadism and who have committed no crimes but have been marked for brutal death for no reason other than their racial derivation or religious adherence.

America has historically been the sanctuary for the oppressed peoples of the earth. It was, in fact, founded by refugees, and it was founded for refugees. Refugees have, in large measure, built our America of today. This resolution merely reasserts a traditional policy of the United States in the way of a temporary sanctuary for tragically helpless people. I believe that every true American will endorse it.

Mr. President, I ask consent to submit the resolution and hope it will be referred to the Committee on Foreign Relations.

There being no objection, the resolution (S. Res. 297), submitted by Mr. GILLETTE, was received and referred to the Committee on Foreign Relations, as follows:

Whereas the Congress of the United States by concurrent resolution adopted on March 10, 1944, expressed its condemnation of Nazi Germany's mass murder of Jewish men, women, and children; and

Whereas the American tradition of justice and humanity demands every possible measure to save the surviving Jews of Europe from extermination by Nazi torture; and

Whereas 2,000,000 lives are in immediate peril for want of a temporary sanctuary from their persecutors: Therefore be it

*Resolved*, That the Senate of the United States urge upon the President of the United States that it is the will of the American people, expressed through their elected Representatives, that Jews and other special victims of Nazi hatred hereafter escaping from territory occupied by Nazi Germany and its allies, as determined by the War Refugee Board, be received on Ellis Island or other designated reception centers for temporary detention and care until the President has determined that they may be returned to their homeland without undue risk of their personal safety; and that transportation and other facilities be made available for this purpose, consistent with the effective prosecution of the war.

#### THE MONTGOMERY WARD CASE—EXCERPT FROM REPORT OF SUBCOMMITTEE OF SENATE JUDICIARY COMMITTEE

Mr. MOORE. Mr. President, I ask unanimous consent to have printed in the RECORD pages 1, 2, 3, and the first five paragraphs of page 4, down to the subtitle III, "Recommendations," of the report of the subcommittee of the Committee on the Judiciary pursuant to Senate Resolution 252, dealing with the Montgomery Ward case.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### CONSTITUTIONAL OR STATUTORY AUTHORITY OF CERTAIN EXECUTIVE ORDERS—REPORT TO THE COMMITTEE PURSUANT TO SENATE RESOLUTION 252

Senate Resolution 252. Seventy-eighth Congress, second session, approved February 7, 1944, reads in part, as follows:

"*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, for the information of the Senate and as a basis for any legislation the committee may deem it advisable to recommend, is hereby authorized and directed to study, survey, and report to the Senate not



a deep, dark military secret. The fact that its operations were highly confidential was supposed to keep congressional snouts out of its affairs. But that did not stop Bob RAMSPECK. He discovered, as chairman of the House Civil Service Committee, to which the important task of investigating Government employment policies had been assigned, that A. N. E. P. A. was wasting manpower. The confidential nature of its assignment was no protection for that sort of policy.

When the committee turned the spotlight on A. N. E. P. A.'s employment practices, it had more than 1,000 persons on its pay roll. Many of them were inexperienced and some were overpaid for the type of work they were doing. The committee reported its findings to the Army and Navy. As a result, A. N. E. P. A. was put through a reducing process. Still the committee was not satisfied. Probing deeper, it found the A. N. E. P. A. was duplicating work done by the Army and Navy expeditors and the War Production Board.

Nine months after the Ramspeck committee began this particular investigation A. N. E. P. A. was liquidated. In a series of conferences with committee members Army and Navy officials agreed that it could be abolished without damage to the war effort. The consequent saving is estimated at \$5,000,000.

That is only one relatively small item to the committee's credit. Its timely work was undoubtedly reflected in the abrupt halt in the expansion of governmental pay rolls last summer. Mr. RAMSPECK and his colleagues put agency heads on notice that they would have to justify swollen personnel lists before a fair-minded but nonetheless prying and critical committee. That was a great incentive to combing over lists and trimming exorbitant demands.

In 8 months after the employment peak was reached last June the number of Government employes fell by approximately 175,000. Other factors contributed to this decline, but the Ramspeck committee can reasonably claim a substantial part of the credit. Savings on personnel in the War Department alone, resulting in large part from the work of this committee, are estimated at \$290,000,000.

Yes, Bob RAMSPECK is doing a splendid piece of work in this respect. He is also doing the same high order of work in representing his district, the State of Georgia, and the Nation. In whatever capacity Bob has been called upon to serve, he has discharged his duty to the full, with rare judicial poise, and outstanding ability.

Too frequently we overlook opportunities such as we now have of paying compliments to those who have earned them. So it is with gratitude to Mr. Pusey for having called attention to the most creditable performance of this committee, its honored chairman, and its equally praiseworthy staff, that I quote from his tribute and add a posy or two.

## National War Agencies Appropriation Bill

### EXTENSION OF REMARKS

OF

**HON. JOHN J. COCHRAN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, May 26, 1944

Mr. COCHRAN. Mr. Speaker, as the title shows this bill applies solely to war agencies. In passing this bill as re-

ported by the committee we are making a contribution toward victory.

I cannot conceive it would be possible for a committee to have made a more thorough investigation than did the Appropriations Committee. You have two volumes of hearings touching on every phase of the activities.

These agencies are charged with grave responsibilities and there is no doubt in my mind they are contributing toward our success.

The only outstanding controversy is the appropriation for the Fair Employment Practice Committee which has delayed the final vote.

To me it is hard to believe one is justified in voting against this bill because one section does not meet with his or her approval.

I voted for the F. E. P. C. appropriation and I hope it will not be stricken from the bill in the Senate.

## Who Determines a Nation's Destiny?

### EXTENSION OF REMARKS

OF

**HON. ROBERT F. JONES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 29, 1944

Mr. JONES. Mr. Speaker, George W. Berry, an estimable lawyer of Piqua, Ohio, and Republican county chairman of Miami County, Ohio, has forwarded to me a sermon by Rev. Arthur K. Wilson, pastor of the Methodist Episcopal Church, Piqua, Ohio. I ask leave to extend in the Record the address of Rev. Wilson entitled, "Who Determines a Nation's Destiny?":

### WHO DETERMINES A NATION'S DESTINY?

(By Rev. Arthur K. Wilson)

Text: Isaiah, 9:16: The leaders of this people cause them to err.

These are days in which very provoking and challenging questions are being raised. For example, What shall we do with Germany after the war? What shall we do with Japan? What shall be our attitude toward Great Britain? How shall we be able to live with Russia? While we do not speak disparagingly of any of these questions, nevertheless there is a far more important question which ought to be foremost in our minds as we face the post-war world. The question is, Who determines a nation's destiny, the leaders or the people? When a nation rises or falls, who should assume the responsibility? There are two schools of thought regarding this question. One would have us believe that the entire responsibility rests upon the shoulders of the citizens of that nation; their argument being that the people make the leaders and if the people have made a colossal blunder in their choice it is the responsibility of the people. The other school would have us believe that the leaders are wholly responsible for the rise and fall of a nation. For example, on every hand we hear those who are advocating severe punishment for the leaders who have perpetrated the great crimes of today. I recognize that this is a controversial question and that the people are not wholly blameless and must share the responsibility. However, I am inclined to believe the major part of the blame should fall upon the lead-

ers. There are two kinds of leaders. The true and the false. In order to differentiate between these two types let us take a look into history, sacred as well as secular. The Bible is full of history and reveals more than other book the character of the leaders of the people.

### I. THE TRUE LEADERS

Let us consider, first, the true leaders, those who are genuine, sincere, and honest in all their aspirations and ambitions.

Sacred history contains a long list of illustrious leaders such as Abraham, Isaac, Jacob, David, Solomon, Elijah, Isaiah, and Moses. We consider Moses the dominant figure of Jewish history. He made a very definite contribution not only to his own generation but also to all succeeding generations. He was a man with a definite purpose. He was a product of the common people, yet acquiring wealth, luxuries, ease, becoming finally a prince in Pharaoh's household. However, Moses was not happy. His heart bled for the welfare of his people. Then came that memorable day when he could no longer endure the thought of his people being in bondage. He gave himself to the task of being not only their emancipator but their leader. Moses was not a perfect man; he became discouraged and disheartened like all other men. You will recall that in a moment of righteous indignation he broke the tablets upon which he had inscribed the Decalog of God. The secret of Moses' success was the fact that his life was God-centered and God-controlled.

Fortunately, Israel has no monopoly upon great and noble leaders. We do not think of this glorious land of ours without thinking of George Washington. "First in the hearts of his countrymen," Washington would not be considered an abnormal child. He was not spectacular or dramatic, having a limited formal education. He was fortunate through marriage to have acquired wealth, position, and prestige. However, when the great call came he was willing to sacrifice all to lead this Nation through those frightful days that characterized the Revolution. When the war was concluded, Washington desired to retire, but great men, especially leaders, are rarely permitted to retire. He, therefore, responded to the call of his country and assumed greater responsibility. The years immediately following the Revolutionary War were among the hardest that this Nation has ever known. There was disunity throughout the country. We staggered under an enormous war debt. Soldiers, as well as civilians, were expected to share in the liquidation of that debt. Even the problem of unemployment became exceedingly acute. Through it all this methodical leader carried on, because, like Moses, his faith was in God.

Another great crisis came to America in the middle of the last century. Rocked by sedition and disunion, our very pillars were crumbling. Again the need for a great leader. Abraham Lincoln heard that call and, like Washington, responded. Lincoln was not a product of the schools, but he was a great thinker. Lincoln had a great character, which was undergirded by a profound faith. He believed in God, he believed in the Holy Scriptures, and practiced private devotion. He was a temperate man, not only an abstainer himself, but always discouraged the use of intoxicating beverages. Lincoln could not tolerate profanity. The story is told that upon one occasion a visitor used profane language in his presence while in the White House. The President rose and said, "I thought Senator C had sent me a gentleman. I see I was mistaken. There is the door. I wish you good night." Lincoln was the true leader.

The world, even in its chaotic state today, is not without its good and true leaders. What keeps China, in such an hour, from complete disintegration? There is but one answer. Leaders, Gen. and Mme. Chiang Kai-shek. What is the secret of their power?



Their faith in and devotion to the Man of Galilee.

True leadership must not be merely for material gain. To make material gain the main motive is to forfeit the title of a real leader. Power, money, position, prestige are to be desired, but to make these things the objective in the reach for leadership is to invite disfavor and ultimately political ruin. Some men are elevated to positions of power and honor because they have merited them. Others attain these positions because of good connections and money. Others who are entirely without money likewise reach the pinnacle, but it will be of short duration. It is this latter type of leader to which we now refer.

## II. THE FALSE LEADERS

Just as good leaders can and do lead a nation upward so can bad leaders lead a nation downward. The Bible has something to say about "blind leading the blind, and both going into the ditch." False leaders can easily deceive the populace because they are spectacular and glamorous. They map possess enchanting personalities, they make rash promises which they know cannot be fulfilled. They have little sympathy for the good in life. These men are often arrogant, selfish, and dictatorial. They can be classified as the Herodian type. Who was Herod? He was the ruler of a subjugated people, the Jews. He was a lover of power. He lived in luxury, occupying at times a magnificent palace at Jerusalem. He surrounded himself with all the advantages then known to the oriental world. He was crafty and a schemer. He lacked the intellectual equipment of some of his predecessors, but determined to secure the throne nevertheless. This he did by cultivating Caesar, and lavishing upon him costly gifts. In order to make an impression upon the Jewish people he suddenly appeared to manifest a keen interest in their religion. Their temple had been built several hundred years before and through neglect needed costly repairs. Instead of repairing the temple Herod caused it to be razed and replaced with a new and more beautiful edifice. His true character, however, he could not long conceal. He was jealous of any and all who opposed him and brutally persecuted those who stood in his way. His program of purging resembles very much the work of a modern Gestapo. Many of his people were caused to be slain, and he imprisoned countless numbers of his followers, including members of his immediate family; his wife, her father and mother, her grandfather, and others of the household were numbered among that list. But the light of that dictator was soon to be dimmed. He succumbed to a long-dreaded disease.

We find another example of false leadership in the person of Absalom, son of King David. He was a handsome young man, his beauty being unrivaled in that day. His money, his position, and his power, that of prince were enviable. There developed within his soul an uncontrollable ego. He felt that he was the last word, that he had all the authority. We are all too familiar with his type. Launching a program of revolt he led a political and social rebellion against his own father. He openly and privately criticized his father and the way he administered the kingdom. He said "dispose of my father and elect me and great changes will come to pass for the betterment of all mankind." All Israel was grossly deceived. He was crafty enough to disguise his true nature, he even feigned religion to deceive his own father; and used it to foster his atrocious designs. Temporarily he succeeded, but, he went down to an inglorious defeat.

The modern Herods are on the march today. Hitler and Tojo. But their kingdoms are even now in a state of collapse. They deceived their people and lead them to believe that they were divinely chosen to build a

new order in this old world. Alas! A Waterloo awaits them all. Our sympathy goes out to the millions upon millions of deluded people. The leaders are responsible.

## III. LEADERS WILL DETERMINE THE DESTINY OF AMERICA

After this great global conflict is over, American democracy will undergo a severe strain. Leaders will determine to a large extent our destiny. What kind of leaders shall we have? Those who believe only in force? Those who believe only in economics? In such an hour as this, in the midst of a great storm, it is not strange that we should measure leadership in terms of force and machinery. If we are to rebuild America, and America, in turn, is to have a part in the rebuilding of the world, we must have leaders. We must see to it that they are true leaders. Only as we select and develop true leaders, will we have an enduring Nation. Whenever we cease producing true and real leaders the doom of our Nation is sealed.

The leaders of yesterday laid the foundation for our national greatness. We have not yet attained the ideal. The real America is in the future. God give us great men. God give us great and true leaders.

## It's Time Congress Woke Up

### EXTENSION OF REMARKS

OF

### HON. ALVIN E. O'KONSKI

OF WISCONSIN

### IN THE HOUSE OF REPRESENTATIVES

Monday, May 29, 1944

Mr. O'KONSKI. Mr. Speaker, the War Department, the Army Air Forces in particular, are again about to ask for more money to squander. When the War Department asks for another \$6,000,000 to train women flyers when we have thousands of male flyers walking the streets, it is time Congress did something about it. I ask permission to include an editorial from Aviation News on this subject to give Congress a clear picture of the proposed waste of people's money:

#### THE WASP PROBLEM

As Representative RAMSPECK's House Civil Service Investigating Committee launched an inquiry into the WASP training project, a group of 122 instructors at one civilian contract primary school last week wired the President and other officials protesting the Army's failure to plan utilization of their flying ability and experience in the war effort although the WASP training program continues, with 1,000 graduates planned by June.

Indignation is rising among experienced civilian airmen as they leave their instructor jobs at schools no longer being used by the Army and face Selective Service induction. They point out these facts:

Civilian men pilots with thousands of hours of flying are ineligible for combat because of logical reasons such as age, but they are also deemed unfit for the Air Transport Command if they do not have 200 hours' time in plans of 200 horsepower or more. Most of their work has been with power below this figure.

Yet civilian girl pilots are accepted for training with 35 hours. Upon completing a 6½ months' flight training course paid for by the Army and taught by a civilian contract flight school, the Wasps are graduated with about 210 hours' instruction, plus the original 35 hours that made them eligible.

These graduates are then given assignments denied men pilots with thousands of hours flying time and years of experience.

The statement that all men pilots will be sent out of the country to fly and therefore necessitate use of women pilots to replace them is sound logic as far as it goes, almen say. But those thousands of civilian men pilots, who are "ineligible" for the A. T. C. are also ineligible for combat. Thus, the argument of replacing all civilian pilots with women appears illogical.

One major example of inefficiency is in transitional training after the WASP has been graduated from her 6½ months' course by the civilian flight school. This transitional flying involves about 100 hours' training on heavy four-motored bomber equipment or high-speed fighter aircraft. Thus, the girls are given an additional 100 hours of flight training by regular A. A. F. pilot instructors, and each hour that the girl pilot receives this training from an Army pilot in Army planes she is taking the place of a combat pilot. Why not utilize more Army men pilots?

In addition to using the present backlog of civilian pilots, the Army might well assign 2 or 3 months of cross-country ferry flying within the United States to its young men pilot graduates. They could thus polish off their navigational cross-country techniques and at the same time deliver aircraft to domestic ferry points.

Furthermore, Army flyers returning from combat areas could ferry planes in the interval before their reassignment, keeping their flight techniques sharp without combat strain. Large numbers of these men are being made available for domestic ferry operations in the United States.

The evidence so far indicates someone has blundered. The costly and impractical WASP program deserves close scrutiny.

ROBERT H. WOOD

## University Students Make Their Contribution

### EXTENSION OF REMARKS

OF

### HON. CARL T. CURTIS

OF NEBRASKA

### IN THE HOUSE OF REPRESENTATIVES

Monday, May 29, 1944

Mr. CURTIS. Mr. Speaker, we are living in days when people are thinking most seriously. The people of America are prayerfully debating, discussing, and questioning all known factors involving the future course of the United States. The young men and women in America are doing their part in an admirable manner.

I wish to extend my remarks by including a letter from the clerk of the fourth annual University of Nebraska intercollegiate debate and discussion conference, which was held at Lincoln, Nebr., on February 25 and 26, 1944, and the resolutions and minority report adopted at said conference. These documents are as follows:

UNIVERSITY OF NEBRASKA.

Lincoln, Nebr., May 10, 1944.

Congressman CARL T. CURTIS,

House Office Building,

Washington, D. C.

DEAR CONGRESSMAN CURTIS: One hundred and twenty-five students representing 26 colleges in 7 States participated in the fourth an-



## Strikes in War Production

### EXTENSION OF REMARKS

OF

**CLARE E. HOFFMAN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 29, 1944*

Mr. HOFFMAN. Mr. Speaker, from California comes a letter this morning containing a newspaper clipping which reads as follows:

**Lumber:** Two thousand lumbermen and woods products workers walk off jobs in nine sawmills in Seattle and Tacoma, Wash., in protest against N. L. R. B. refusal to grant wage increases to 130,000 sawmill and logging employees in Pacific Northwest. Spread of strike feared.

**Copper:** Two hundred miners at Anaconda copper mines in Butte, Mont., strike in protest against shift boss, affecting vital production of ore.

**Motors:** Despite settlement of teamster dispute in Detroit, 3,000 Chrysler workers remain on strike over trucking privileges at plant.

**Transportation:** Cleveland Transit System workers threaten strike that would halt operation of streetcars and busses effective Saturday night as plans for emergency transit for war workers being formulated. Transit men seek wage increase.

**Strike of 56 drivers** tied up busses of Schuylkill Valley Lines, Inc., main transportation company serving 100,000 persons in Norristown and about 20 smaller communities in southeastern Pennsylvania. Thousands of workbound war workers stranded. Strikers out in disagreement over bonus wage plan.

**Building supply:** Building-supply workers in Toledo, Ohio, strike on heels of walk-out of 600 municipal workers, seeking higher wages.

**Tugboats:** Strike of tugmen in Cleveland area prevents movements of large vessels moving up Cuyahoga River to war plants. Dispute certified to W. L. B.

**Appliances:** Dispute over discharge of union stewards causes 940 workers to walk out at Murray-Ohio Manufacturing Co., in Cleveland.

**Steel:** Two strikes in Birmingham, Ala., area coal mines halt operations at the Bessemer plant of Pullman Standard Car Company. Nearly 2,000 men affected. Failure to settle minor wage disputes cause of strike. Eighteen hundred diggers reported idle.

**Asbestos:** Strike at Johns-Manville plant at Alexandria, Ind., left 499 workers idle. Company produces rock wool for Navy. Workers demand better working conditions.

**Machinists:** War Labor Board directed union leaders to call off strike of 125 members of A. F. of L. International Association of Machinists at Granite City, Ill., steel company. Controversy resulted in idleness of 1,800 workers.

**STRIKES CLOSE LUMBER MILLS—13 NORTHWEST YARDS HIT; LABOR UNREST GRIPS 6 OTHER STATES**

(By Gerald B. Healey)

Strikes closed 13 lumber mills in the Pacific Northwest Friday night while other labor disturbances, mostly in war plants, spread through 6 States.

Latest reported walk-outs came at Seattle and Tacoma, Wash., where nearly 2,000 men left their sawmill and logging jobs over refusal of the N. L. R. B. to grant wage increases.

Seven of Tacoma's major lumber mills were shut down and 11 other mills in Tacoma and

surrounding area, which are under union jurisdiction, may close tomorrow.

#### NINE YARDS PERILED

Nine other retail lumber yards in that city also may be affected by the walk-out.

In Seattle 1,000 men were out in 6 mills.

Union headquarters in Tacoma reported that about 4,000 workers in sawmills and plywood plants would not report for work Saturday.

A. F. L. officials said they tried to "hold the men in line" but were unsuccessful. They termed the walk-outs an "unofficial vacation."

#### MINERS STRIKE

Two hundred miners struck in protest against a shift boss at the St. Lawrence mine of the vital Anaconda Copper Mining Co. at Butte, Mont. The mine has been producing more than a million pounds of copper per month under Government war contracts.

Despite settlement of a jurisdictional dispute between A. F. of L. and C. I. O. teamsters unions in Detroit, 9,000 Chrysler Corporation war workers remained on strike. It was the Chrysler dispute over trucking privileges that started the teamsters' factional trouble.

Cleveland and Toledo were hit hard by a series of labor difficulties that struck with startling rapidity.

Most serious threat was the impending walkout of 4,100 employees of the Cleveland Transit System.

## National War Agencies Appropriation Bill, 1945

### SPEECH

OF

**HON. ROSS RIZLEY**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 26, 1944*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. RIZLEY].

Mr. RIZLEY. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Georgia. I do not want anyone to get the impression from what I shall have to say that anyone is not going to vote according to the best dictates of his own conscience, but I feel that the Members of this House, regardless of how they may feel about the merits of this particular agency, should at this time vote in favor of the amendment if for no other reason than to maintain the legislative integrity of this body.

It has been only a year or a little more since we had the Agricultural Appropriation bill before the House, and there were at least forty or fifty items in that bill that had been carried in the appropriation year after year, almost as long as long as we have had a Congress, without any specific authority of law. In order to establish once and for all the integrity of the legislative committees, the members of the Committee on Ag-

riculture, of which I happen to be a member, rose on the floor of this House and objected to item after item that had been carried year after year, simply because there was no legislative authority for those items. As a result, we this year brought before the House what was known as the Pace bill, to authorize those many items.

What do you have here today? You have the Committee on Appropriations bringing in this highly controversial item for which there is no authority of law, the gentleman from Ohio [Mr. VORHIS] to the contrary notwithstanding, and I do not believe he was serious in his contention when he attempted to say that, that under section 5 of the fourteenth amendment to the Constitution, legislative authority is authorized for this appropriation. It is so utterly ridiculous as to not warrant serious consideration and just a further subterfuge on the part of those who seem to be willing to permit government by executive directives to continue in this country.

That is one of the troubles, as I see it, in the country today. I do not care whether we are Republicans or Democrats, there are certain fundamentals that, if this Nation is to stand, must be adhered to. We cannot as legislators, Republicans or Democrats, afford to adopt these short cuts. This Congress should either function or else completely abdicate in favor of the Executive. I do not propose to abdicate for political expediency. Legislation is now pending before the proper legislative committee involving this very agency, that has heretofore been set up by Executive order. Are you Republicans, who have been howling so loudly about constitutional Government, and the functions of the Congress, who have been asking the country to return our party to power on the theory that we will cut out this government of the people by Executive orders, are you going to abandon ship now for the sake of what you believe to be political expediency.

As one Republican, I am going to practice what I have been preaching, namely, to quit voting these huge appropriations that are not essential to the war effort, and refuse to approve additional boards and bureaus set up by the Executive order.

## Our Only Course, Our Sole Objective

### EXTENSION OF REMARKS

OF

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 29, 1944*

Mr. DINGELL. Mr. Speaker, under leave to extend my remarks in the Record, I include the following address delivered by me before the Polish-American Congress, May 28, 1944, at Memorial Hall, Buffalo, N. Y.:



Mr. President, right reverend bishop, reverend fathers, and fellow Americans. I am proud indeed to be able to respond to your invitation to address this assembly of representative Americans of Polish antecedents and to express as forcefully and as briefly as I am able what I believe to be the sole and the only course which we as Americans in justice and in good faith can follow. It is not only a privilege but a patriotic duty to do so.

Our course is as clearly defined as is our goal and that is to win the war at the earliest possible moment with the least possible expenditure of American lives and to secure a just and a lasting peace. Toward that end we must concentrate all of our efforts and we must not be persuaded even for a moment to swerve from the course. There must be no distraction or foreign attraction, however slight, which might mean even a temporary reverse and the loss of precious American lives. We must concentrate and unite all of our vast resources, employing to the limit not only our arms, our finances, and our mechanical and productive genius, but we must also unite intellectually and morally to bring about the complete destruction of the common enemy.

For my part, there is no need today for an extended discourse. I believe that the printed Aims and Objectives of the Polish American Congress contains every essential of a genuinely American expression and is so eloquent and forceful that it is a sheer waste of time to try to add to or detract from this very able and patriotic exposition of objectives. I sought to study and analyze the declaration in order that I might find and concentrate upon the most important paragraph but I find that they are all important, so important in fact that we must recognize and endorse in its entirety this historic declaration.

We must, however, inform the people of America, our fellow American citizens, of every creed, of every color, and of every nationalistic origin what we Americans of Polish ancestry stand for. The reaffirmation and acceptance of the principles of the Atlantic Charter and of the "four freedoms," together with the right of self-determination on the part of all of the smaller nations is genuinely and traditionally in accord with American fair play. We can and we must pledge ourselves to the carrying out of this historic declaration.

We must unfalteringly give endorsement to American foreign policy under the peerless leadership of the President of the United States, Franklin Delano Roosevelt, and of Cordell Hull, the very able and distinguished Secretary of State. The problem of the Americans of Polish antecedents is chiefly one of making known to the great bulk of our American people the legitimate and historic claims of the land of our forefathers.

In recent months with increasing interest and intensity the question of Poland's eastern boundary and the legitimacy of the Government in exile has been debated by friend and foe alike. Unfortunately, elements both in this country and abroad have initiated a campaign of misrepresentation with regard to Poland's legitimate territorial claims and have attacked the Government in exile. The 1939 eastern boundary without a question of a doubt is fortified, not only by the Treaty of Riga and subsequent Polish-Russian agreements but has also been reinforced by treaties between the two countries since the German attack upon her former Russian ally.

The Polish Government in exile has the support of these latter treaties by virtue of the negotiations which were carried on with the Polish authorities at London. But aside from this signed admission there is a constitutional continuity which sustains the existing Polish Government, and no outside influence can properly be recognized as hav-

ing any authority to interpret the constitutionality or the legitimacy of the present Raczkiewicz government in exile. What we Americans are chiefly concerned with at this time is that our own Government has recognized the inviolability of the eastern boundary as of 1939 and has consistently recognized and dealt with Sikorski and the successor regime.

Of course, we Americans of Polish ancestry and we who know Polish history, who understand her problems, and are familiar with her sufferings, not only in this but in past wars, need not make any apologies to anyone for our sympathies and predisposition toward Poland's territorial and other legitimate claims. We can and properly should discuss them among ourselves and publicly. We have the constitutional right to even disseminate this information to the people of these United States, for the millions of friends of Poland in this country seek the truth, and only truth will overcome erroneous anti-Polish and pro-Russian propaganda.

Americans, as I stated before, are as fair as they are fearless and they will not sell Poland short. But there are certain difficulties which cannot be discounted at this moment, and we must all recognize that some of these difficulties are well-nigh insurmountable, particularly if interposed at this particular juncture. No segment of our American population has a right to project highly controversial problems which may cause estrangement between the allies and thus impair or delay the winning of the war. It is obvious to me as it is to many who are concerned over the turn in events that our problem is one of fully informing the American public and insofar as is possible the people of the world that Poland's territorial claims are sustained by historic and ethnographical considerations. For instance, how many people in America, even among Americans of Polish lineage, know that the 1939 Polish boundaries constituted approximately 40 percent of Poland's terrain at the peak of her greatest expansion. How many know, for example, that after the last war there were between one and a half and two million Poles who inhabited traditionally Polish terrain and who were abandoned for the large part, to the tender mercies of Germany. Sundry and sound arguments that are absolutely unimpeachable can be made out in behalf of the rightful claims advanced by the Polish Government, and millions of friends in America and countless others can be won over on the side of truth, and that is the responsibility, and I say the duty, of those of us who know something about the matter, to disseminate this information. The truth will sustain the position of the administration at Washington. It will lend support to the President of the United States and to the Secretary of State, and it will have a positive and helpful effect in pulverizing propaganda emanating from unfair sources.

No one in America will challenge the right of free discussion and the assumption of definite cleavage on one side or the other. But it must ever be borne in mind that however important might be the problem affecting the future of any other nation, even the closest ally, it must never interfere with the prime objective—the winning of the war at the earliest possible date with the least possible expenditure of American lives, and the establishment of a just and lasting peace. All other considerations are secondary.

The consequences of imposing upon Poland a boundary that will expose her to her enemies and the reduction of her domain to a point where it will impair her growth and virility, or the gerrymandering of her frontiers so as to deprive her of essential raw materials, such as timber, soil, peat, and certain valuable minerals, which will reduce her to dependency and weakness instead of mak-

ing her independent and strong, will prove disastrous and a threat to future peace. Poland, as the key to peace in Europe, must at this late date be so recognized.

I feel that I know the attitude of the administration and of the Secretary of State, and that I can with propriety presume to say that the injustice of the last war and the shortcomings of the Treaty of Versailles insofar as they applied to Poland will not be repeated at the conference table following World War No. 2.

Our greatest asset and our ability to render the greatest amount of good are centered in our ability to unit in support of America's foreign policy as enunciated by the President and the Secretary of State in sustaining the Atlantic Charter and our insistence upon the "four freedoms." The administration has never forsaken these expressions. The President of the United States went so far as to offer the aid of his good offices in the ironing out of the differences between the Polish and Russian governments. It is unfortunate that the changed attitude of the Russian government after Stalingrad was such as to refuse this friendly proffer on the part of our Government. This friendly American gesture is one which commends itself to our continued respect and to our undivided support.

I think at the proper time it will yield dividends toward the welfare of Poland and toward the establishment of a lasting and just peace.

The average American is not only fair but he is friendly to the cause of Poland but altogether too frequently he is either uninformed, misinformed, or because of the great amount of base and erroneous propaganda, he is confused and it is, therefore, the problem of Polonia in these United States to make known the just claims of the government in exile on behalf of the people of Poland. This can be done without losing sight of the objective or without deviating from the well-defined and prescribed patriotic course. It will be of great service not only to the people of Poland but also to our fellow Americans who seek the truth.

We must look ahead to the day when the war is over to the peace conference, to a time when Poland will have to rely upon her friends at the conference table to sustain her legitimate claims. We must, therefore, not permit petty personal differences or the excursions of individuals into comic spheres to cause consternation and disunity. We must always remember first and above everything else that we are Americans and we have a war to win and a permanent and just peace to secure. I am confident that the President of the United States and the Secretary of State have never departed one iota from their previous declarations. In fact we have the declarations of Cordell Hull delivered in the form of a personal report to the Congress of the United States as authority for this, my statement. Subsequently, he has made another and a forceful public declaration over the radio and I was unable to detect in either instance any digression from the original purpose and declaration or any faltering weakness.

Now let us have confidence in our friends. Let us not permit selfish interests to arouse suspicions among our people here in America or among our brethren in other parts of the world, for we might only weaken our case by creating animosities. Let us stand united with confidence that the administration, definitely on record, will fulfill its every pledge in spirit and in detail. Millions of Americans of Polish extraction with hundreds of thousands of sons fighting for the perpetuation of the American ideals and the liberation of the subjugated peoples, victimized by this war look to this Congress, to this assembly of representative American citizens to redefine the course, to rededicate







78<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

Calendar No. 978

# H. R. 4879

[Report No. 960]

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IN THE SENATE OF THE UNITED STATES

MAY 29 (legislative day, MAY 9), 1944

Read twice and referred to the Committee on Appropriations

JUNE 12 (legislative day, MAY 9), 1944

Reported by Mr. McKELLAR, with amendments

[Omit the part struck through and insert the part printed in italic]

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## AN ACT

Making appropriations for war agencies for the fiscal year ending  
June 30, 1945, and for other purposes.

- 1      *Be it enacted by the Senate and House of Representa-*  
2      *tives of the United States of America in Congress assembled,*  
3      That the following sums are appropriated, out of any money  
4      in the Treasury not otherwise appropriated, for the sup-  
5      port of war agencies for the fiscal year ending June 30,  
6      1945, and for other purposes, namely:



1 TITLE I  
2 EXECUTIVE OFFICE OF THE PRESIDENT  
3 OFFICE OF CENSORSHIP

4 Salaries and expenses: For all necessary expenses of the  
5 Office of Censorship, including the employment of aliens as  
6 examiners or translators; the employment of a Director and a  
7 deputy director at not exceeding \$10,000 and \$9,000 per  
8 annum, respectively; not to exceed \$20,000 for temporary  
9 personal services without regard to civil-service and clas-  
10 sification laws; travel expenses (not to exceed \$165,000);  
11 travel expenses of appointees from point of induction in  
12 continental United States to their first posts of duty outside  
13 continental United States and such expenses of employees  
14 returning from their places of employment outside con-  
15 tinental United States to their homes in the United States  
16 or possessions or in foreign countries; reimbursement at  
17 not to exceed 3 cents per mile to employees for expenses  
18 incurred by them for official travel in privately owned auto-  
19 mobiles within the limits of their official stations; printing and  
20 binding (not to exceed \$275,000); rental of news and other  
21 reporting services; rental and/or operation of photographic,  
22 communication, and other equipment and devices; hire (and  
23 not to exceed \$3,500 for the purchase of motor-propelled  
24 passenger-carrying vehicles; purchase of guard uniforms;  
25 purchase of special wearing apparel or equipment for pro-

1 tection of employees while engaged in their work; not to  
2 exceed \$10,000 for scientific research on models, devices,  
3 and other items related to the functions of the Office of  
4 Censorship without regard to section 3709 of the Revised  
5 Statutes) ; \$29,700,000: *Provided*, That section 3709 of the  
6 Revised Statutes shall not be construed to apply to any  
7 purchase made by or service rendered for the Office of Cen-  
8 sorship outside the continental limits of the United States  
9 when the aggregate amount involved in such case does  
10 not to exceed \$500: *Provided further*, That not to exceed  
11 \$10,000 of this appropriation shall be available for expenses  
12 of a confidential character, to be expended under the direction  
13 of the Director who shall make a certificate of the amount  
14 of each such expenditure which he may think it advisable not  
15 to specify and every such certificate shall be deemed a  
16 sufficient voucher for the amount therein certified.

17 PETROLEUM ADMINISTRATION FOR WAR

18 Salaries and expenses: For all necessary expenses of  
19 the Petroleum Administration for War in performing its  
20 functions as prescribed by the President (Fed. Reg., Decem-  
21 ber 4, 1942), including not to exceed \$425,000 for  
22 personal services without regard to the civil-service and  
23 classification laws but no part of this sum shall be used  
24 to compensate any person who has been transferred from  
25 a classification pay status to an ungraded pay status;



1 printing and binding not to exceed \$25,000; and not to  
2 exceed \$390,000 for travel expenses; \$6,000,000: *Pro-*  
3 *vided*, That section 3709, Revised Statutes, shall not apply  
4 to any purchase or service rendered under this appropriation  
5 when the aggregate amount involved does not exceed \$300.

6 SELECTIVE SERVICE SYSTEM

7 Salaries and expenses, Selective Service System: For  
8 all expenses necessary for the operation and maintenance  
9 of the Selective Service System as authorized by the Selec-  
10 tive Training and Service Act of 1940 (50 U. S. C. App.  
11 301); including not to exceed \$400,000 for printing and  
12 binding; purchase, for replacement, of not to exceed thirty-  
13 two motor-propelled passenger-carrying vehicles; and,  
14 under such rules or regulations as may be prescribed by  
15 the Director of Selective Service, expenses of emer-  
16 gency medical care, including hospitalization, of regis-  
17 trants who suffer illness or injury, and the transportation,  
18 and burial, of the remains of registrants who suffer death,  
19 while acting under orders issued under the Selective Service  
20 law but such burial expenses shall not exceed \$150  
21 in any one case; \$61,500,000: *Provided*, That such  
22 amounts as may be necessary shall be available for the  
23 planning, directing, and operation of a program of work of  
24 national importance under civilian direction, either inde-  
25 pendently or in cooperation with governmental or non-

1 governmental agencies, and the assignment and delivery  
2 thereto of individuals found to be conscientiously opposed to  
3 participation in work of the land or naval forces, which  
4 cooperation with other agencies may include the furnishing  
5 of funds to and acceptance of money, services, or other  
6 forms of assistance from such nongovernmental agencies for  
7 the more effectual accomplishment of the work; and  
8 for the pay and allowances of such individuals at rates  
9 not in excess of those paid to persons inducted into  
10 the Army under the Selective Service System, and such  
11 privileges as are accorded such inductees: *Provided further,*  
12 That the travel of persons engaged in the administration of  
13 the Selective Service System, including commissioned, war-  
14 rant, or enlisted personnel of the Army, Navy, Marine  
15 Corps, or their reserve components, may be ordered by the  
16 Director or by such persons as he may authorize, and persons  
17 so traveling shall be entitled to transportation and subsistence  
18 or per diem in lieu of subsistence, at rates authorized by  
19 law: *Provided further,* That the Director of Selective  
20 Service, in prescribing per diem rates of allowance, not  
21 exceeding \$7, in lieu of subsistence for officers of the  
22 Army, Navy, and Marine Corps, and of the reserve com-  
23 ponents thereof, traveling on official business and away from  
24 their designated posts of duty, pursuant to the first paragraph  
25 of section 12 of the Act approved June 16, 1942 (37 U. S.



1 C. 112), is hereby authorized to prescribe such per diem  
2 rates of allowance, whether or not orders are given to such  
3 officers for travel to be performed repeatedly between two or  
4 more places in the same vicinity, and without regard to the  
5 length of time away from their designated posts of duty  
6 under such orders.

7 OFFICE OF STRATEGIC SERVICES

8 Salaries and expenses: For all expenses necessary to  
9 enable the Office of Strategic Services to carry out its func-  
10 tions and activities, including salaries of a Director at  
11 \$10,000 per annum, one assistant director and one deputy  
12 director at \$9,000 per annum each; procurement of neces-  
13 sary services, supplies and equipment without regard to  
14 section 3709, Revised Statutes; travel expenses, including  
15 expenses outside the United States without regard to  
16 the Standardized Government Travel Regulations and the  
17 Subsistence Expense Act of 1926, as amended (5 U. S. C.  
18 821-833) and any general provision for the fiscal year  
19 1945 to the contrary; preparation and transportation of  
20 the remains of officers and employees who die abroad or  
21 in transit, while in the dispatch of their official duties,  
22 to their former homes in this country or to a place not  
23 more distant for interment, and for the ordinary expenses  
24 of such interment; rental of news-reporting services; pur-  
25 chase of or subscription to commercial and trade reports;

1 the rendering of such gratuitous services and the disposi-  
2 tion, free or otherwise, of such materials as the Director  
3 deems advisable; purchase or rental and operation of pho-  
4 tographic, reproduction, duplicating and printing machines,  
5 equipment, and devices and radio-receiving and radio-send-  
6 ing equipment and devices; maintenance, operation, repair,  
7 and hire of motor-propelled or horse-drawn passenger-  
8 carrying vehicles and vessels of all kinds; printing and  
9 binding; exchange of funds without regard to section 3651,  
10 Revised Statutes (31 U. S. C. 543); purchase and free dis-  
11 tribution of firearms, guard uniforms, special clothing, and  
12 other personal equipment; the cost of a compartment or  
13 such other accommodations as may be authorized by the  
14 Director for security when authorized personnel are re-  
15 quired to transport secret documents or hand baggage con-  
16 taining highly technical and valuable equipment; \$57,000,-  
17 000, of which amount such sums as may be authorized by  
18 the Director of the Bureau of the Budget may be trans-  
19 ferred to other departments or agencies of the Government,  
20 either as advance payment or reimbursement of appropria-  
21 tion, for the performance of any of the functions or activities  
22 for which this appropriation is made: *Provided*, That \$37,-  
23 000,000 of this appropriation may be expended with-  
24 out regard to the provisions of law and regulations relating  
25 to the expenditure of Government funds or the employment



1 of persons in the Government service, and \$35,000,000 of  
 2 such \$37,000,000 may be expended for objects of a con-  
 3 fidential nature, such expenditures to be accounted for solely  
 4 on the certificate of the Director of the Office of Strategic  
 5 Services and every such certificate shall be deemed a suffi-  
 6 cient voucher for the amount therein certified.

7 EXECUTIVE OFFICE OF THE PRESIDENT—

8 OFFICE FOR EMERGENCY MANAGEMENT

9 DIVISION OF CENTRAL ADMINISTRATIVE SERVICES

10 Salaries and expenses: For all necessary expenses of  
 11 the Division of Central Administrative Services, including  
 12 traveling expenses (not to exceed \$140,000); printing  
 13 and binding (not to exceed \$50,000); ~~\$7,783,000~~ \$8,356,-  
 14 000: ~~Provided~~, That there may be transferred from this  
 15 appropriation to appropriations available to the constituent  
 16 agencies of the Office for Emergency Management and to  
 17 other agencies such amounts as may be necessary in connec-  
 18 tion with the transfer of functions from the Division to such  
 19 agencies and funds so transferred shall be consolidated with  
 20 and shall be expendable in the same manner as funds of the  
 21 agencies to which functions are transferred: *Provided*,  
 22 *That there may be transferred to this appropriation from*  
 23 *appropriations available to the constituent agencies of the*  
 24 *Office for Emergency Management and to the Office of Price*  
 25 *Administration such amounts as may be necessary for the*

1 *procurement of supplies, equipment, and services for such*  
 2 *agencies and such Administration, and funds so transferred*  
 3 *shall be consolidated with and shall be expendable in the*  
 4 *same manner as this appropriation: Provided further, That*  
 5 *the constituent agencies (except the War Shipping Admin-*  
 6 *istration) of the Office for Emergency Management and the*  
 7 *Office of Price Administration shall not establish, in the Dis-*  
 8 *trict of Columbia or in the field, fiscal, procurement, space*  
 9 *allocation or procurement, duplicating, distribution, com-*  
 10 *munication, or other general services, wherever the Director*  
 11 *of the Bureau of the Budget determines that the Division of*  
 12 *Central Administrative Services can render any such service.*

#### 13 OFFICE OF CIVILIAN DEFENSE

14 Salaries and expenses: For all necessary expenses of the  
 15 Office of Civilian Defense, including salary of the Director  
 16 at not to exceed \$10,000 per annum; traveling expenses (not  
 17 to exceed ~~\$150,300~~ \$112,725); printing and binding (not  
 18 to exceed ~~\$13,000~~ \$9,750); ~~\$538,500~~ \$403,875; and  
 19 ~~\$461,500~~ \$346,125 for storage, care, transportation, and  
 20 inspection of property purchased from funds appropriated  
 21 to the Office of Civilian Defense; in all, ~~\$1,000,000~~  
 22 \$750,000.

23 The appropriation herein made for the Office of Civilian  
 24 Defense shall constitute the total amount to be available for



1 obligation by such agency during the fiscal year 1945 and  
 2 shall not be supplemented by funds from any Federal source.

3 COMMITTEE ON FAIR EMPLOYMENT PRACTICE

4 For all expenses necessary to enable the Committee on  
 5 Fair Employment Practice to carry out ~~the~~ *any* functions *law-*  
 6 *fully* vested in it by Executive Orders Numbered 8802 and  
 7 9346, including salary of a Chairman at not to exceed  
 8 ~~\$10,000~~ \$8,000 per annum and six other members at not to  
 9 exceed \$25 per diem when actually engaged; travel expenses  
 10 (not to exceed \$63,800); expenses of witnesses in attend-  
 11 ance at Committee hearings, when necessary; printing and  
 12 binding (not to exceed \$4,800); purchase of newspapers and  
 13 periodicals (not to exceed \$500); and the temporary employ-  
 14 ment of persons, by contract or otherwise, without regard to  
 15 section 3709 of the Revised Statutes and the civil service  
 16 and classification laws (not to exceed \$8,900); \$500,000.

17 OFFICE OF THE COORDINATOR OF INTER-AMERICAN  
 18 AFFAIRS

19 Salaries and expenses: For all necessary expenses of  
 20 the Office of the Coordinator of Inter-American Affairs,  
 21 including not to exceed \$15,000 for the temporary em-  
 22 ployment of persons or organizations by contract or other-  
 23 wise without regard to the civil-service and classification  
 24 laws; employment of aliens; travel expenses, not to exceed  
 25 \$175,000; printing and binding, not to exceed \$12,000;

1 entertainment of officials and others of the other American  
2 republics; grants of money, property, or services to gov-  
3 ernmental and public or private nonprofit institutions and  
4 facilities in the United States and the other American  
5 republics; the free distribution, donation, or loan of publica-  
6 tions, phonograph records, radio scripts, radio transcrip-  
7 tions, art works, motion-picture scripts, motion-picture films,  
8 educational material, and other material and equipment;  
9 such other gratuitous assistance as the Coordinator may deem  
10 necessary and appropriate to carry out his program;  
11 expenses of transporting employees of the Office of the  
12 Coordinator and their effects from their homes to their  
13 places of employment in the other American republics,  
14 or from their homes in the other American republics  
15 to their places of employment, and return, when  
16 specifically authorized by the Coordinator; travel expenses  
17 of dependents and transportation of personal effects, from  
18 their places of employment to their homes in the United  
19 States or in the possessions of the United States or in the  
20 other American republics, of employees for whom such  
21 expenses were paid by the Government on their assignment  
22 to posts in foreign countries; causing corporations to be  
23 created under the laws of the District of Columbia, any  
24 State of the United States, or any of the other American  
25 republics, to assist in carrying out the Coordinator's pro-



1 gram and capitalizing such corporations: *Provided*, That  
2 corporations heretofore or hereafter created or caused to  
3 be created by the Coordinator primarily for operation out-  
4 side the continental United States shall determine and  
5 prescribe the manner in which their obligations shall be  
6 incurred and their expenses allowed and paid without re-  
7 gard to the provisions of law regulating the expenditure,  
8 accounting for and audit of Government funds, and may,  
9 in their discretion, employ and fix the compensation of  
10 officers and employees outside the continental limits of the  
11 United States without regard to the provisions of law ap-  
12 plicable to the employment and compensation of officers  
13 and employees of the United States: *Provided further*,  
14 That the Coordinator shall transmit to the President im-  
15 mediately upon the close of the fiscal year a complete  
16 financial report of the operations of such corporations;  
17 ~~\$18,000,000~~ \$16,000,000, of which \$4,000,000 is for the  
18 payment of obligations incurred under the contract authoriza-  
19 tion of \$18,000,000 under this head in the National War  
20 Agencies Appropriation Act, 1944, and in addition to said  
21 appropriation the Coordinator is authorized to enter into con-  
22 tracts during the fiscal year 1945 in an amount not exceeding  
23 \$2,500,000 for obligations necessary for and incident to his  
24 program: *Provided further*, That not to exceed \$200,000  
25 of this appropriation shall be available to meet emergencies

1 of a confidential character to be expended under the direc-  
2 tion of the Coordinator, who shall make a certificate of the  
3 amount of such expenditure which he may think it advisable  
4 not to specify and every such certificate shall be deemed  
5 a sufficient voucher for the amount therein certified: *Pro-*  
6 *vided further*, That notwithstanding the provisions of section  
7 3679, Revised Statutes (31 U. S. C. 665), the Coordi-  
8 nator is authorized in making contracts for the use of inter-  
9 national short-wave radio stations and facilities, to agree  
10 on behalf of the United States to indemnify the owners and  
11 operators of such radio stations and facilities, from such  
12 funds as may be hereafter appropriated for the purpose,  
13 against loss or damage on account of injury to persons or  
14 property arising from such use of said radio stations and  
15 facilities.

16 OFFICE OF DEFENSE TRANSPORTATION

17 Salaries and expenses: For all necessary expenses of  
18 the Office of Defense Transportation, including salary of the  
19 Director at not to exceed \$12,000, traveling expenses (not  
20 to exceed \$900,000, including reimbursement, at not to  
21 exceed 3 cents per mile, of employees for official travel  
22 performed by them in privately owned automobiles within the  
23 limits of their official stations) ; printing and binding (not to  
24 exceed \$130,000, including not to exceed \$5,000 for printing  
25 and binding outside the continental limits of the United



1 States without regard to provisions of law governing  
 2 printing and binding (44 U. S. C. 111) ) ; payment, at rates  
 3 not in excess of those fixed by law for witnesses attending  
 4 in United States courts (28 U. S. C. 600c) , of fees, mileage,  
 5 and subsistence of witnesses appearing at hearings held by  
 6 the Office of Defense Transportation in connection with the  
 7 performance of its functions: *Provided*, That the payment of  
 8 subsistence to witnesses shall be subject to certification by  
 9 the Director of the Office of Defense Transportation or  
 10 his designee, as to the necessity therefor; ~~\$18,000,000~~  
 11 ~~\$17,000,000~~.

12

## NATIONAL WAR LABOR BOARD

13 Salaries and expenses: For all necessary expenses of  
 14 the National War Labor Board, including salaries at not  
 15 to exceed \$10,000 per annum each for the four public mem-  
 16 bers and not to exceed \$9,000 per annum each for the four  
 17 alternate public members of the Board; travel expenses (not  
 18 to exceed ~~\$1,000,000~~ \$1,060,000) ; printing and binding  
 19 (not to exceed \$31,300) ; actual transportation and other  
 20 necessary expenses, and not to exceed \$25 per diem in  
 21 lieu of subsistence, whether or not in a travel status, of  
 22 other members, alternate members and associate members  
 23 of the Board while serving as such without other compensa-  
 24 tion from the United States; ~~\$15,000,000~~ \$14,437,300.

## 1 OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

2 Salaries and expenses: For all necessary expenses of  
3 the Office of Scientific Research and Development, including  
4 the purchase of reports, documents, plans, or specifications;  
5 the employment by contract or otherwise, without regard  
6 to civil-service or classification laws, at not to exceed \$25  
7 per day for individuals, of engineers, scientists, civilian  
8 analysts, technicians, or other necessary professional per-  
9 sonnel or firms, corporations, or other organizations thereof;  
10 printing and binding; travel expenses, including, when spe-  
11 cifically authorized or approved by the Director of the Office,  
12 transportation of personal effects, of personnel to their first  
13 posts of duty outside continental United States, and return;  
14 travel expenses of personnel on official business outside con-  
15 tinental United States and away from designated posts of  
16 duty, on assignment with military forces, without regard to  
17 the Standardized Government Travel Regulations other than  
18 paragraph 45; the cost of a compartment or such other accom-  
19 modation as may be authorized by the Director for security  
20 when authorized personnel are required to transport secret  
21 documents or hand baggage containing highly technical and  
22 valuable equipment; and not to exceed \$6,000 for the enter-  
23 tainment of officials of other countries, \$120,000,000: *Pro-*  
24 *vided*, That there may be paid from this appropriation to the



1 National Academy of Sciences a sum not exceeding \$150,000  
2 for the administrative and overhead expenses incurred by  
3 said academy during the fiscal year 1945 in carrying out  
4 research projects for Federal agencies, and such sum shall  
5 be in addition to any reimbursement otherwise provided  
6 for: *Provided further*, That notwithstanding the provisions  
7 of section 3679 of the Revised Statutes (31 U. S. C.  
8 665), the Office of Scientific Research and Development  
9 is authorized, in making contracts for the conduct of inves-  
10 tigations or experiments, to agree on behalf of the United  
11 States to indemnify the contractor from such funds as may  
12 be hereafter appropriated for the purpose, against loss or  
13 damage to persons or property arising from such work:  
14 *Provided further*, That funds available to any agency of the  
15 Government for scientific, technical, or medical research,  
16 development, testing, construction of test models, experi-  
17 mental production, or the provision of facilities therefor,  
18 shall be available for transfer with the approval of the head  
19 of the agency involved, in whole or in part, to the Office  
20 of Scientific Research and Development, and funds so trans-  
21 ferred shall be expendable in the same manner as this ap-  
22 propriation: *Provided further*, That the Office of Scientific  
23 Research and Development may sell, lease, lend, or otherwise  
24 dispose of, under such terms and conditions as it may deem  
25 advisable, devices, scientific or technical equipment, models,

1 or other articles of personalty, developed, constructed, pro-  
2 duced in or purchased for the performance of its scientific  
3 or medical contracts, except articles acquired for administra-  
4 tive purposes, and all receipts from such dispositions shall be  
5 covered into the Treasury as miscellaneous receipts.

6 OFFICE OF WAR INFORMATION

7 Salaries and expenses: For all necessary expenses of the  
8 Office of War Information, including the employment of a  
9 Director and Associate Director at not exceeding \$12,000  
10 and \$10,000 per annum, respectively; not to exceed  
11 \$75,000 for the temporary employment in the United  
12 States of persons by contract or otherwise without regard to  
13 the civil service and classification laws; employment of  
14 aliens; employment of persons outside the continental limits  
15 of the United States without regard to the civil service  
16 and classification laws; travel expenses (not to exceed  
17 \$400,000 for travel within the continental limits of the  
18 United States); expenses of transporting employees and  
19 their effects from their homes to their places of employ-  
20 ment in a foreign country and return to their homes in the  
21 United States; purchase of radio time and purchase or rental  
22 of facilities for radio transmission; purchase, rental, construc-  
23 tion, improvement, maintenance, and operation of facilities  
24 for radio transmission and reception, including real prop-



erty outside the continental limits of the United States and temporary sentry stations, guard barracks, and enclosures for the security of short-wave broadcasting facilities within the continental limits of the United States without regard to the provisions of section 355, Revised Statutes (40 U. S. C. 255), and other provisions of law affecting the purchase or rental of land and the construction of buildings thereon; advertising in foreign newspapers without regard to section 3828, Revised Statutes (44 U. S. C. 324); printing and binding (not to exceed \$2,710,389, for such expenses within the continental limits of the United States), including printing and binding outside the continental limits of the United States without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); purchase or rental and operation of photographic, reproduction, printing, duplicating, communication, and other machines, equipment, and devices; exchange of funds without regard to section 3651, Revised Statutes; purchase of four hundred and eighty-six motor-propelled passenger-carrying vehicles for use outside the continental limits of the United States which may be acquired without regard to statutory limitations as to price and authority to purchase; acquisition, production, and free distribution of publications, phonograph records, radio transcriptions, motion-picture films, photographs and pictures, educational materials, and such other items as the Di-

1 rector may deem necessary to carry out the program of the  
 2 Office of War Information, and sale or rental of such items  
 3 by contract or otherwise to firms or individuals for use  
 4 outside the continental limits of the United States; pur-  
 5 chase, repair, and cleaning of uniforms for use by porters,  
 6 drivers, messengers, watchmen, and other custodial em-  
 7 ployees outside continental United States; such gratui-  
 8 tous expenses of travel and subsistence as the Director  
 9 deems advisable in the fields of education, travel, radio,  
 10 press, and cinema; not to exceed \$125,000 for enter-  
 11 tainment of officials and others in the fields of education,  
 12 radio, press, and cinema of other countries; payment of  
 13 the United States' share of the expenses of the maintenance,  
 14 in cooperation with any other of the United Nations, of  
 15 organizations and activities designed to receive and dis-  
 16 seminate information relative to the prosecution of the war;  
 17 \$58,625,367: *Provided*, That, exclusive of the contingency  
 18 fund mentioned in the last proviso hereof, not more than  
 19 \$48,562,101 (including living and quarters allowances)  
 20 shall be allocated to the Overseas Operations Branch and  
 21 not more than ~~\$2,200,000~~ \$2,464,633 shall be allocated to  
 22 the Domestic Operations Branch for the following functions  
 23 only: Office of the Director, ~~including book and magazine co-~~  
 24 ~~ordination sections~~; *Book and Magazine Bureau*; *Foreign*  
 25 *News Bureau*; Office of Program Coordination; News Bureau;



1 Bureau of Special Services; Radio Bureau; Motion Picture  
2 Bureau, not exceeding ~~\$50,000~~ \$54,428: *Provided further,*  
3 That notwithstanding the provisions of section 3679, Revised  
4 Statutes (31 U. S. C. 665), the Office of War Information  
5 is authorized in making contracts for the use of international  
6 short-wave radio stations and facilities, to agree on behalf  
7 of the United States to indemnify the owners and operators  
8 of said radio stations and facilities from such funds as may  
9 be hereafter appropriated for the purpose, against loss or  
10 damage on account of injury to persons or property arising  
11 from such use of said radio stations and facilities: *Provided*  
12 *further,* That not to exceed \$600,000 of this appropriation  
13 shall be available to meet emergencies of a confidential char-  
14 acter to be expended under the direction of the Director,  
15 who shall make a certificate of the amount of such expendi-  
16 ture which he may think it advisable not to specify and  
17 every such certificate shall be deemed a sufficient voucher  
18 for the amount therein certified: *Provided further,* That  
19 \$5,500,000 of this appropriation shall not be available for  
20 expenditure unless the Director of the Office of War Infor-  
21 mation, with the approval of the President, shall determine  
22 that such funds in addition to the other funds provided herein  
23 for the Overseas Branch are necessary for carrying on activi-  
24 ties in conjunction with actual or projected military opera-

1 tions and that accounts for these funds may be merged with  
2 regular accounts.

3 No part of this or any other appropriation shall be ex-  
4 pended by the Office of War Information for the preparation  
5 or publication of any pamphlet or other literature, except  
6 the United States Government Manual, for distribution to  
7 the public within the United States.

8 The appropriation herein made for the Office of War  
9 Information shall constitute the total amount to be available  
10 for obligation by such agency during the fiscal year 1945  
11 and shall not be supplemented by funds from any source  
12 except by reverse lend-lease.

13 OFFICE OF WAR MOBILIZATION

14 Salaries and expenses: For all necessary expenses of  
15 the Office of War Mobilization, including salary of the  
16 Director at \$15,000 per annum; salaries of two Assist-  
17 ant Directors at \$9,000 per annum each; not to exceed  
18 \$169,000 for the employment of persons or organizations by  
19 contract or otherwise without regard to section 3709, Revised  
20 Statutes, or the civil-service and classification laws; and  
21 printing and binding; \$900,000.

22 WAR PRODUCTION BOARD

23 Salaries and expenses: For all necessary expenses of  
24 the War Production Board, including salary of the Chair-



1 man at \$15,000 per annum, and salaries of six vice chair-  
2 men or principal officials at \$10,000 per annum each; the  
3 employment of aliens; the employment of expert witnesses;  
4 not to exceed \$20,000 for the temporary employment of  
5 persons or organizations, by contract or otherwise, without  
6 regard to the civil-service or classification laws; not to exceed  
7 \$5,000 for entertainment of officials of other countries when  
8 specifically authorized or approved by the Chairman; reim-  
9 bursement at not to exceed 3 cents per mile, of employees  
10 for expenses incurred by them in performance of official  
11 travel in privately owned automobiles within the limits of  
12 their official stations; not to exceed \$4,625,000 for travel  
13 expenses, including travel to and from their homes or regular  
14 places of business in accordance with the Standardized Travel  
15 Regulations, including travel in privately owned automobile  
16 (and including per diem in lieu of subsistence at place of  
17 employment), of persons employed intermittently away from  
18 their homes or regular places of business as compliance com-  
19 missioners and receiving compensation on a per diem when  
20 actually employed basis; not to exceed \$1,217,000 for print-  
21 ing and binding; not to exceed \$4,500,000 for scientific  
22 research on materials, material substitutes, and other subjects  
23 related to the functions of the Board, without regard to  
24 section 3648, Revised Statutes; and the rental, main-  
25 tenance and operation of one airplane; \$67,500,000: *Pro-*

1 *vided*, That the requirement in section 301 of the Treas-  
2 ury and Post Office Departments Appropriation Act, 1943,  
3 and in section 201 (a) of the Independent Offices Appro-  
4 priation Act, 1944, that the payment of expenses of travel  
5 of employees on transfer from one official station to another  
6 must be authorized in the order directing the transfer is  
7 hereby waived with respect to such travel performed, with  
8 the approval of the Chairman of the Board, or his designee,  
9 in the fiscal year 1943, and in the fiscal year 1944 prior  
10 to November 1, 1943.

11 Smaller War Plants Corporation, administrative ex-  
12 penses: Not to exceed \$10,000,000 of the funds of the  
13 Smaller War Plants Corporation, acquired in accordance with  
14 the Act of June 11, 1942 (Public Law 603), shall be avail-  
15 able for the administrative expenses of such Corporation  
16 necessary to enable it to carry out the functions vested in it  
17 by such Act, to carry out the provisions of section 2 of such  
18 Act, and such other functions as may be lawfully delegated  
19 to the Corporation; not to exceed \$10,000 for the employ-  
20 ment of aliens; not to exceed \$500,000 for the temporary  
21 employment of persons or organizations by contract or other-  
22 wise without regard to the civil-service and classification laws  
23 for special services, including audits notwithstanding section 5  
24 of the Act of April 6, 1914 (5 U. S. C. 55) ; printing and  
25 binding; reimbursement, at not to exceed 3 cents per mile,



1 of employees for expenses incurred by them in performance  
2 of official travel in privately owned automobiles within the  
3 limits of their official stations; the hire of motor-propelled  
4 passenger-carrying vehicles; procurement of supplies, equip-  
5 ment, and services without regard to section 3709 of the  
6 Revised Statutes where the amount involved in any one  
7 case does not exceed \$300; and rent in the District  
8 of Columbia: *Provided*, That, as determined by the chair-  
9 man of the Board of Directors, or such officer as may be  
10 designated by the Board of Directors for the purpose,  
11 expenditures (including expenditures for services performed  
12 on a force account or contract or fee basis) necessary  
13 in acquiring, operating, maintaining, improving, or dis-  
14 posing of real or personal property belonging to the Cor-  
15 poration or in which it has an interest (except property  
16 acquired for the administrative purposes of the Corporation),  
17 including expenses of collections of pledged collateral and  
18 expenses of service and administration of its loans, advances,  
19 and property under section 6 of said Act of June 11, 1942,  
20 shall be considered as nonadministrative expenses for the  
21 purposes hereof: *Provided further*, That no part of said  
22 \$10,000,000 shall be obligated or expended unless and until  
23 an appropriate appropriation account shall have been estab-  
24 lished therefor pursuant to an appropriation warrant or a  
25 covering warrant, and all such expenses shall be accounted

1 for and audited in accordance with the Budget and Account-  
2 ing Act.

3 WAR SHIPPING ADMINISTRATION

4 War Shipping Administration, revolving fund: To in-  
5 crease the War Shipping Administration revolving fund,  
6 \$450,000,000, which amount, together with other funds here-  
7 tofore or hereafter made available to such revolving fund,  
8 shall be available for carrying on all the activities and func-  
9 tions of the War Shipping Administration (not provided for  
10 under other appropriations made to said Administration),  
11 under Executive order of February 7, 1942 (7 F. R. 837),  
12 and heretofore or hereafter lawfully vested in such Admin-  
13 istration, including costs incidental to the acquisition, opera-  
14 tion, loading, discharging, and use of vessels transferred for  
15 use of any department or agency of the United States, for  
16 carrying out the provisions of Executive Order Numbered  
17 9112 of March 26, 1942, and for all administrative expenses  
18 (not to exceed \$14,500,000 in the fiscal year 1945),  
19 including the employment and compensation of persons in  
20 the District of Columbia and elsewhere, such employment  
21 and compensation to be in accordance with laws applicable  
22 to the employment and compensation of persons by the  
23 United States Maritime Commission except section 201 (b)  
24 of the Merchant Marine Act, 1936 (49 Stat. 1985); ex-  
25 penses of attendance, when specifically authorized by the



1 Administrator, at meetings concerned with the work of  
2 the Administration; actual transportation and other neces-  
3 sary expenses and not to exceed \$25 per diem in lieu of  
4 subsistence of persons serving while away from their  
5 permanent homes or regular places of business in an ad-  
6 visory capacity to or employed by the Administration  
7 without other compensation from the United States or at  
8 \$1 per annum; printing and binding; lawbooks, books of  
9 reference, periodicals and newspapers; teletype services;  
10 purchase, maintenance, repair, rental in foreign countries,  
11 and operation of passenger-carrying automobiles; travel ex-  
12 penses, including transportation of effects under regulations  
13 prescribed by the Administrator, of employees from their  
14 homes to their first post of duty in a foreign country; rent,  
15 including heat, light, and power, outside the District of  
16 Columbia; necessary advance payments in foreign countries;  
17 and the employment, on a contract or fee basis, of  
18 persons, firms, or corporations for the performance of  
19 special services, including legal services, without regard  
20 to section 3709 of the Revised Statutes or the civil-service  
21 and classification laws: *Provided*, That when vessels are  
22 transferred or assigned permanently by the War Shipping  
23 Administrator to other departments or agencies of the United  
24 States Government for operation by them, funds for the  
25 operation, loading, discharging, repairs, and alterations,

1 or other use of such vessels may be transferred from this  
2 fund to the applicable appropriations of the department or  
3 agency concerned in such amounts as may be approved by  
4 the Director of the Bureau of the Budget: *Provided further,*  
5 That the Secretary of the Treasury is hereby authorized and  
6 directed to transfer the sum of \$100,000,000 from the marine  
7 and war risk insurance fund to the War Shipping Admin-  
8 istration, revolving fund.

9 Maritime training fund, War Shipping Administration:  
10 For the training, recruitment, repatriation, rehabilitation,  
11 and placement of personnel for the manning of the merchant  
12 marine, and the establishment and maintenance of policies  
13 respecting maritime labor relations and conditions, and for  
14 administrative expenses (not to exceed \$4,000,000)  
15 including all the administrative items of expenditure  
16 for which the appropriation "War Shipping Admin-  
17 istration, revolving fund", is available, and not to exceed  
18 \$2,500 for contingencies for the Superintendent, United  
19 States Merchant Marine Academy, to be expended in his dis-  
20 cretion, \$80,000,000, of which \$2,700,000 shall be avail-  
21 able for payment of obligations incurred in the fiscal year  
22 1944: *Provided,* That the amount which may be expended  
23 for administrative expenses in the fiscal year 1944 is hereby  
24 increased from \$2,600,000 to \$2,700,000.

25 State marine schools, War Shipping Administration:



1 To reimburse the State of California, \$50,000; the State of  
2 Maine, \$50,000; the State of Massachusetts, \$50,000; the  
3 State of New York, \$50,000; and the State of Pennsylvania,  
4 \$50,000; for expenses incurred in the maintenance and  
5 support of marine schools in such States as provided in the  
6 Act authorizing the establishment of marine schools, and  
7 so forth, approved March 4, 1911, as amended (34 U. S. C.  
8 1121-1123) ; and for the maintenance and repair of vessels  
9 loaned by the United States to the said States for use in  
10 connection with such State marine schools, \$100,000; in all,  
11 \$350,000.

12 OFFICE FOR EMERGENCY MANAGEMENT—GENERAL

13 PROVISIONS

14 (a) The head of any constituent agency may delegate  
15 to any official in such agency or in the field offices of the  
16 Division of Central Administrative Services the authority  
17 to make appointments of personnel and he may also delegate  
18 to any official in the agency of which he is the head the  
19 authority to make other determinations necessary for the  
20 conduct of the administrative management within such  
21 agency.

22 (b) Any employee of any of the constituent agencies  
23 is authorized, when designated for the purpose by the head  
24 of such agency, to administer to or take from any person  
25 an oath, affirmation, or affidavit, when such instrument is

1 required in connection with the performance of the functions  
2 or activities of such agency.

3 (c) The head of any of the constituent agencies is  
4 authorized, in connection with the operations of such agency,  
5 to consider, ascertain, adjust, determine, and certify claims  
6 against the United States in accordance with the Act  
7 of December 28, 1922 (31 U. S. C. 215), and to designate  
8 certifying officers in accordance with the Act of December  
9 29, 1941, or to delegate authority to the Director of the Divi-  
10 sion of Central Administrative Services to designate em-  
11 ployees of such Division as certifying officers to certify  
12 vouchers payable against the funds of the constituent agency  
13 concerned.

14 (d) The appropriations for the constituent agencies  
15 under the Office for Emergency Management for the fiscal  
16 year 1945 shall be available for the hire of motor-propelled  
17 passenger-carrying vehicles, and the appropriations for such  
18 agencies for the fiscal year 1944 shall be construed as having  
19 been available for such purpose.

## 20 *INDEPENDENT EXECUTIVE AGENCIES*

### 21 *SELECTIVE SERVICE SYSTEM*

22 *Salaries and expenses, Selective Service System: For*  
23 *all expenses necessary for the operation and maintenance*  
24 *of the Selective Service System as authorized by the Selec-*  
25 *tive Training and Service Act of 1940 (50 U. S. C. App.*



1 301); including not to exceed \$400,000 for printing and  
2 binding; purchase, for replacement, of not to exceed  
3 thirty-two motor-propelled passenger-carrying vehicles; and,  
4 under such rules or regulations as may be prescribed  
5 by the Director of Selective Service, expenses of emer-  
6 gency medical care, including hospitalization, of regis-  
7 trants who suffer illness or injury, and the transportation,  
8 and burial, of the remains of registrants who suffer death,  
9 while acting under orders issued under the selective-  
10 service law but such burial expenses shall not exceed \$150  
11 in any one case; \$61,500,000: Provided, That such  
12 amounts as may be necessary shall be available for the  
13 planning, directing, and operation of a program of work of  
14 national importance under civilian direction, either inde-  
15 pendently or in cooperation with governmental or non-  
16 governmental agencies, and the assignment and delivery  
17 thereto of individuals found to be conscientiously opposed to  
18 participation in work of the land or naval forces, which  
19 cooperation with other agencies may include the furnishing  
20 of funds to and acceptance of money, services, or other  
21 forms of assistance from such nongovernmental agencies for  
22 the more effectual accomplishment of the work; and for the  
23 pay and allowances of such individuals at rates not in excess  
24 of those paid to persons inducted into the Army under the  
25 Selective Service System, and such privileges as are ac-

1 corded such inductees: Provided further, That the travel of  
2 persons engaged in the administration of the Selective Serv-  
3 ice System, including commissioned, warrant, or enlisted  
4 personnel of the Army, Navy, Marine Corps, or their  
5 reserve components, may be ordered by the Director or by  
6 such persons as he may authorize, and persons so traveling  
7 shall be entitled to transportation and subsistence or per diem  
8 in lieu of subsistence, at rates authorized by law: Provided  
9 further, That the Director of Selective Service, in prescribing  
10 per diem rates of allowance, not exceeding \$7, in lieu of  
11 subsistence for officers of the Army, Navy, and Marine  
12 Corps, and of the reserve components thereof, traveling on  
13 official business and away from their designated posts of  
14 duty, pursuant to the first paragraph of section 12 of the Act  
15 approved June 16, 1942 (37 U. S. C. 112), is hereby  
16 authorized to prescribe such per diem rates of allowance,  
17 whether or not orders are given to such officers for travel to  
18 be performed repeatedly between two or more places in the  
19 same vicinity, and without regard to the length of time away  
20 from their designated posts of duty under such orders.

## 21 DEPARTMENT OF THE INTERIOR

### 22 WAR RELOCATION AUTHORITY

23 Salaries and expenses: For all necessary expenses of  
24 the War Relocation Authority, \$39,000,000, including ex-  
25 penses incident to the extension of the program provided



1 for in Executive Order 9102 to persons of Japanese ances-  
2 try not evacuated from military areas; salary of the Director  
3 at not to exceed \$10,000 per annum; employment of  
4 aliens; traveling expenses, not to exceed \$375,000; print-  
5 ing and binding, not to exceed \$28,000; procurement, with-  
6 out regard to section 3709, Revised Statutes, of supplies  
7 and equipment (with or without personal services); pur-  
8 chase for replacement (not to exceed \$50,000) of passenger-  
9 carrying automobiles; the leasing to others of land acquired  
10 for the program; purchase of uniforms for internal security  
11 officers; transfer of household goods and effects as provided  
12 by the Act of October 10, 1940, including travel expenses,  
13 of employees transferred from other Federal agencies to  
14 the Authority at its request; not to exceed \$10,000 for pay-  
15 ment to States or political subdivisions thereof, or other  
16 local public taxing units, of sums in lieu of taxes against  
17 real property acquired by the Authority for the purposes  
18 hereof; for payments for the performance of governmental  
19 services required in connection with the administration of  
20 the program; the disposal, by public or private sale, of  
21 goods or commodities produced or manufactured in the  
22 performance of activities hereunder, the proceeds of which  
23 shall be deposited in a special fund which shall remain  
24 available until June 30, 1945, for the purposes here-

1 of: *Provided*, That the provisions of the Act of Feb-  
2 ruary 15, 1934 (48 Stat. 351), as amended, relating to  
3 disability or death compensation and benefits, shall apply to  
4 persons receiving from the United States compensation in  
5 the form of subsistence, cash advances, or other allowances  
6 in accordance with regulations prescribed by the Director of  
7 the War Relocation Authority for work performed in con-  
8 nection with such program, including work performed in the  
9 War Relocation Work Corps: *Provided further*, That this  
10 provision shall not apply in any case coming within the  
11 purview of the workmen's compensation laws of any State,  
12 Territory, or possession, or in which the claimant has re-  
13 ceived or is entitled to receive similar benefits for injury  
14 or death: *Provided further*, That the Secretary of the In-  
15 terior may delegate to any official in the War Relocation  
16 Authority the authority to make appointments of personnel  
17 and he may also delegate to any official in the War Reloca-  
18 tion Authority the authority to make other determinations  
19 necessary for the conduct of administrative management  
20 within the Authority: *And provided further*, That the limi-  
21 tation placed on the amount available for travel expenses  
22 for the War Relocation Authority shall not apply to travel  
23 of evacuees and their escorts incident to transfers and relo-  
24 cation.



## 1 TITLE II—GENERAL PROVISIONS

2 SEC. 201. The appropriations in this Act for salaries and  
3 expenses shall be available, in addition to the objects specified  
4 under each head, and without regard to section 3709, Revised  
5 Statutes (except as otherwise specified herein), for personal  
6 services in the District of Columbia and elsewhere; contract  
7 stenographic reporting services; lawbooks, books of reference,  
8 newspapers and periodicals; maintenance, operation, and re-  
9 pair of motor-propelled passenger-carrying vehicles; accept-  
10 ance and utilization of voluntary and uncompensated services;  
11 and traveling expenses, including expenses of attendance at  
12 meetings of organizations concerned with the work of the  
13 agency from whose appropriation such expenses are paid, and  
14 actual transportation and other necessary expenses, and not to  
15 exceed \$10 (unless otherwise specified) per diem in lieu of  
16 subsistence, of persons serving while away from their perma-  
17 nent homes or regular places of business in an advisory  
18 capacity to or employed by any of such agencies without  
19 other compensation from the United States, or at \$1 per  
20 annum, and including (upon authorization or approval of  
21 the head of any of such agencies) travel expenses to and  
22 from their homes or regular places of business in accordance  
23 with the Standardized Government Travel Regulations, in-  
24 cluding travel in privately owned automobile (and including  
25 per diem in lieu of subsistence at place of employment),

1 of persons employed intermittently away from their homes  
2 or regular places of business as consultants and receiving  
3 compensation on a per diem when actually employed basis.

4 SEC. 202. Whenever sums are set apart from the appro-  
5 priations in this Act for special projects (classified in the  
6 estimates submitted to Congress as or under "Other con-  
7 tractual services") expenditures may be made therefrom for  
8 traveling expenses, printing and binding, and purchase of  
9 motor-propelled passenger-carrying vehicles without regard  
10 to the limitations specified for such objects under the respec-  
11 tive heads, but within such amounts as the Director of the  
12 Bureau of the Budget may approve therefor and such Direc-  
13 tor shall report to Congress each such limitation determined  
14 by him: *Provided*, That such limitations shall not apply  
15 where the special projects are performed by non-Government  
16 agencies.

17 SEC. 203. With the prior approval of the Bureau of the  
18 Budget and under authority of section 601 of the Act of June  
19 30, 1932, as amended (31 U. S. C. 686), orders for work  
20 or services to be performed by other agencies of the Govern-  
21 ment may be placed by any of the agencies whose appropria-  
22 tions are contained in this Act, but no agency shall perform  
23 work or render services with or without reimbursement (in-  
24 cluding the detail or loan of personnel) for any of the agen-  
25 cies whose appropriations are contained in this Act except in



1   pursuance of orders so approved or under specific authority  
2   of other law. This provision shall not apply to the Office  
3   of Strategic Services.

4       SEC. 204. The foregoing sections 201, 202, and 203  
5   shall have no application to appropriations for the War  
6   Shipping Administration.

7       SEC. 205. For the purposes of section 303 of the First  
8   Supplemental National Defense Appropriation Act, 1944,  
9   and any similar general provisions for the fiscal year 1945,  
10   persons serving the Government at \$1 per annum shall be  
11   considered as serving without compensation.

12       SEC. 206. No part of any appropriation contained in  
13   this Act shall be used to pay the salary or wages of  
14   any person who advocates, or who is a member of an  
15   organization that advocates, the overthrow of the Government  
16   of the United States by force or violence: *Provided*, That for  
17   the purposes hereof an affidavit shall be considered prima  
18   facie evidence that the person making the affidavit does not  
19   advocate, and is not a member of an organization that  
20   advocates, the overthrow of the Government of the United  
21   States by force or violence: *Provided further*, That any  
22   person who advocates, or who is a member of an organiza-  
23   tion that advocates, the overthrow of the Government of  
24   the United States by force or violence and accepts employ-  
25   ment the salary or wages for which are paid from any

1 appropriation contained in this Act shall be guilty of a felony  
2 and, upon conviction, shall be fined not more than \$1,000  
3 or imprisoned for not more than one year, or both: *Provided*  
4 *further*, That the above penalty clause shall be in addition  
5 to, and not in substitution for, any other provisions of existing  
6 law.

7 SEC. 207. If at any time during the fiscal year 1945  
8 the termination of the Act entitled "An Act to provide tem-  
9 porary additional compensation for employees in the Postal  
10 Service", approved April 9, 1943, or of the Act entitled  
11 "An Act to provide for the payment of overtime compensa-  
12 tion to Government employees, and for other purposes",  
13 approved May 7, 1943, shall be fixed by concurrent resolu-  
14 tion of the Congress at a date earlier than June 30, 1945,  
15 the appropriations contained in this Act shall cease to be  
16 available on such earlier date for obligation for the purposes  
17 of the terminated Act and the unobligated portions of ap-  
18 propriations allocated for the purposes of such terminated  
19 Act shall not be obligated for any other purposes of the  
20 appropriation during the fiscal year 1945.

21 SEC. 208. This Act may be cited as the "National War  
22 Agency Appropriation Act, 1945".

Passed the House of Representatives May 26, 1944.

Attest:

SOUTH TRIMBLE,

*Clerk.*



Calendar No. 978

78<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**H. R. 4879**

[Report No. 960]

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## **AN ACT**

Making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

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MAY 29 (legislative day, MAY 9), 1944

Read twice and referred to the Committee on Appropriations

JUNE 12 (legislative day, MAY 9), 1944

Reported with amendments

## NATIONAL WAR AGENCIES APPROPRIATION BILL, 1945

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JUNE 12 (legislative day, MAY 9), 1944.—Ordered to be printed

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Mr. McKELLAR, from the Committee on Appropriations, submitted the following

## REPORT

[To accompany H. R. 4879]

The Committee on Appropriations, to whom was referred the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, report the same to the Senate with various amendments and present herewith information relative to the changes made.

Amount of bill as passed House.....	\$1, 030, 858, 367
Reduction by Senate (net).....	3, 239, 700
Amount of bill as reported to Senate.....	1, 027, 618, 667
Appropriations available for 1944.....	2, 801, 267, 542
Amount of Budget estimates.....	1, 069, 911, 425
The bill as reported to the Senate is under the estimates.....	42, 292, 758
The bill as reported to the Senate is under the appropriations available for 1944.....	1, 773, 648, 875

The changes in the amounts of the House bill recommended by the committee are as follows:



## INCREASES AND LIMITATIONS

## Division of Central Administrative Services:

Salaries and expenses.....	\$573, 000
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It is recommended by the committee that the following proviso be stricken from the bill:

*: Provided, That there may be transferred from this appropriation to appropriations available to the constituent agencies of the Office for Emergency Management and to other agencies such amounts as may be necessary in connection with the transfer of functions from the Division to such agencies and funds so transferred shall be consolidated with and shall be expendable in the same manner as funds of the agencies to which functions are transferred*

and insert in lieu thereof the following:

*: Provided, That there may be transferred to this appropriation from appropriations available to the constituent agencies of the Office for Emergency Management and to the Office of Price Administration such amounts as may be necessary for the procurement of supplies, equipment, and services for such agencies and such Administration, and funds so transferred shall be consolidated with and shall be expendable in the same manner as this appropriation: Provided further, That the constituent agencies (except the War Shipping Administration) of the Office for Emergency Management and the Office of Price Administration shall not establish, in the District of Columbia or in the field, fiscal, procurement, space allocation or procurement, duplicating, distribution, communication, or other general services, wherever the Director of the Bureau of the Budget determines that the Division of Central Administrative Services can render any such service*

The language proposed to be inserted by the Senate amendment is the same as that contained in the law for the present fiscal year. The House language provided for the transfer of functions of the Division of Central Administrative Services to the various constituent agencies of the Office for Emergency Management together with the funds. It is the opinion of the committee that greater efficiency and economy will result from the present method of handling these administrative functions.

## Office of War Information:

It is recommended by the committee that the amount for the Domestic Operations Branch be increased from \$2,200,000, as proposed by the House, to \$2,464,633.

Total increase.....	573, 000
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## DECREASES AND LIMITATIONS

## Office of Civilian Defense:

Salaries and expenses.....	\$250, 000
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## Committee on Fair Employment Practice:

The committee recommend that the following provision in the bill be amended as follows:

## COMMITTEE ON FAIR EMPLOYMENT PRACTICE

For all expenses necessary to enable the Committee on Fair Employment Practice to carry out ~~the any~~ functions *lawfully* vested in it by Executive Orders Numbered 8802 and 9346, including salary of a Chairman at not to exceed ~~\$10,000~~ \$8,000 per annum and six other members at not to exceed \$25 per diem when actually engaged; travel expenses (not to exceed \$63,800); expenses of witnesses in attendance at Committee hearings, when necessary; printing and binding (not to exceed \$4,800); purchase of newspapers and periodicals (not to exceed \$500); and the temporary employment of persons, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil service and classification laws (not to exceed \$8,900); \$500,000.

## Office of the Coordinator of Inter-American Affairs:

Salaries and expenses-----	\$2, 000, 000
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## Office of Defense Transportation:

Salaries and expenses-----	1, 000, 000
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## National War Labor Board:

Salaries and expenses-----	562, 700
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Total decrease-----	3, 812, 700
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Net decrease-----	3, 239, 700
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Amount of bill as reported to Senate-----	1, 027, 618, 667
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# H. R. 4879

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IN THE SENATE OF THE UNITED STATES

JUNE 12 (legislative day, MAY 9), 1944

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. McKELLAR to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, the following amendment, viz:

1       On page 30, in line 2, after the word "binding" insert:  
2       "and not to exceed \$1,000,000 for expenditure through other  
3       Federal agencies, and through State agencies without regard  
4       to section 3648 of the Revised Statutes, for gathering of  
5       medical and social history information on registrants".

6       On page 30, line 11, strike out "\$61,500,000" and insert  
7       "\$62,500,000".



78TH CONGRESS  
2D SESSION

# H. R. 4879

## AMENDMENT

Intended to be proposed by Mr. McKellar to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

JUNE 12 (legislative day, May 9), 1944

Ordered to lie on the table and to be printed

# H. R. 4879

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IN THE SENATE OF THE UNITED STATES

JUNE 12 (legislative day, MAY 9), 1944

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. MCKELLAR to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, the following amendment, namely:

- 1 Under the item for "Smaller War Plants Corporation"
- 2 on page 23, line 19, after the word "Corporation", insert the
- 3 following: ", including the salary of the Chairman of the
- 4 Board at \$10,000 per annum".



78th CONGRESS  
2d Session

# H. R. 4879

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## AMENDMENT

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Intended to be proposed by Mr. McKellar to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

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JUNE 12 (legislative day, May 9), 1944

Ordered to lie on the table and to be printed

deep from the Industrial Canal, New Orleans, La., eastward to a point at or near the Mississippi Sound mouth of the Rigolets, to the 40-foot contour in the vicinity of the Government light at the northern extremity of the Chandeleur Islands.

Second. House Concurrent Resolution No. 13, memorializing the Honorable Chester Bowles, Administrator, Office of Price Administration, and the Honorable Marvin Jones, Administrator, War Food Administration, to immediately revise price ceilings on farm products to comply with provisions of the Stabilization Act of 1942 and in accordance with the intentions of Congress in establishing the act; unless such steps are taken immediately memorializing the Members of Congress from this State to take the necessary steps to safeguard farmers and other citizens against such maladministration of the act when price-control legislation is extended.

Third. House Concurrent Resolution No. 15, memorializing the Office of Price Administration to remove ceiling prices from sales of raw furs.

Fourth. House Concurrent Resolution No. 22, memorializing the Congress of the United States to provide for the continued operation of the aluminum plant at Baton Rouge, La., operated for the Defense Plant Corporation by the Aluminum Co. of America.

The ACTING PRESIDENT pro tempore. Without objection, the resolutions presented by the Senator from Louisiana [Mr. ELLENDER] will be received, appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Commerce:

Senate Concurrent Resolution 8

Concurrent resolution approving the construction by the United States of a permanent deep draft channel 40 feet deep from the Industrial Canal, New Orleans, La., eastward to a point at or near the Mississippi Sound mouth of the Rigolets, to the 40-foot contour in the vicinity of the Government light at the northern extremity of the Chandeleur Islands.

Whereas there is pending before the Board of Engineers for Rivers and Harbors in pursuance of a resolution by the Committee on Commerce of the United States Senate, adopted April 19, 1943, a request to review previous reports with a view to determining whether any modification of the recommendations contained therein is advisable at this time, particularly with respect to the advisability and cost of providing an emergency outlet from the Mississippi River in the interest of national defense and general commerce by the construction and maintenance of a permanent deep draft channel 40 feet deep, or such lesser depth as may be determined to be an economical ship channel from the Industrial Canal, New Orleans, La., eastward along the authorized route of the Intracoastal Waterway to a point at or near the Mississippi Sound mouth of the Rigolets, thence to the 40-foot contour in the vicinity of the Government light at the northern extremity of the Chandeleur Islands, and the district engineer is now taking testimony to report on this resolution; and

Whereas the Board of Commissioners of the Port of New Orleans is an agency of the State of Louisiana, created by Act No. 70 of 1896 of the General Assembly of the State of Louisiana, and among the duties delegated by the general assembly to the board is: "It shall be the duty of said board of commissioners to examine and investigate all questions relating

to the interest of the Port of New Orleans \* \* \*"; and

Whereas acting under the above directive, the Board has caused to be made a thorough study of port conditions, its status as a port, its abilities and possibilities of better serving the Nation in time of war and in the post-war period, particularly the Mississippi Valley, and finds for the accomplishment of these objectives, the definite need for a deep, safe and dependable access channel to the sea, which the board of port commissioners believes should be dredged from a point on the Industrial Canal, utilizing that portion of the new link in the Intracoastal Waterway to a point at or near the Mischeud Canal, and then extending to deep water in the Gulf at or near the Chandeleur Islands, and that the channel should have a minimum of 40-foot depth and a minimum of 700-foot bottom width; and

Whereas a 40-foot tidewater access channel to the sea should be provided as soon as possible as its construction would aid in the national defense and would furnish to the Navy, the Maritime Commission, and the Army, tidewater facilities and an access to the sea not now available; and

Whereas large naval vessels seldom enter the Mississippi River, because entrance and departure through existing channels entails a great risk; and

Whereas failure on the part of the Government to establish a modern navy yard graving docks and other facilities in keeping with the port's strategic location, is attributable to lack of tidewater facilities and safe and dependable access channels to the sea; and

Whereas the extent to which the Navy and the Maritime Commission are using the present tidewater facilities of the Industrial Canal, and of the tidewater canal specifically dredged for the use of Higgins Industries, clearly demonstrates the need for tidewater facilities in time of war; and

Whereas the construction, conditioning, and repair of Navy and maritime equipment now in process on these tidewater locations is limited in size and in scope, because of the necessity of passing through a vulnerable lock and the lack of a 40-foot channel to the sea; and

Whereas facilities of the ports on both the east and west coasts are taxed beyond their capacity and will be for a long time to come, and the west-coast ports will be kept for military purposes almost exclusively, New Orleans is the only port available for the concentration of the Nation's commerce; and

Whereas barge traffic on the Mississippi River has increased manifold in recent years and the use of this waterway, together with the numerous railroads serving New Orleans, makes this port the natural outlet for the foreign trade of the industrial empire of the Mississippi Valley; and

Where the port of New Orleans has met its responsibilities in the past and is prepared to do so in the future if provision is made at all times for accommodating the largest and most modern ships; and

Whereas the complete utilization of the river frontage and the necessity for still further expansion made necessary, two decades ago, the construction of the Inner Harbor Industrial Canal along whose banks there have been already built extensive industrial establishments and public docks and along which it is planned to locate future extensions of the public dock system; and

Whereas vessels now visiting the port of New Orleans must traverse either South or Southwest Passes; the width of the jettied channel at South Pass having been fixed 65 years ago and being inadequate for the needs of large modern vessels; and the decline in the discharge of Southwest Pass having made it impracticable to secure

a channel of the full width and depth advocated more than 45 years ago; and

Whereas a permanent and stable tidewater ship channel from the inner harbor at New Orleans to the Gulf of Mexico can be excavated and maintained at a reasonable and justifiable cost without encountering unusual or difficult problems, it being entirely practicable to dig that channel wide enough and deep enough to meet the needs of the largest vessels now desiring to use this port and to subsequently deepen and widen such channel whenever the need for such improvement arises; and

Whereas the State of Louisiana and the city of New Orleans have planned for the greater industrialization of the State and the city, to the end that the income of its citizens be put on a basis of fair comparison with citizens of other States; and

Whereas this project has been endorsed by the labor organizations, both A. F. of L. and the C. I. O., the American Merchant Marine Institute, New Orleans Steamship Association, ship owners and operators, and hundreds of civic and trade bodies throughout the Mississippi Valley; and

Whereas the construction of such a channel would provide employment for thousands during the war and the post-war period; and

Whereas the State of Louisiana is particularly fortunate in its production of minerals and chemicals, varied and in quantity, its forest and agricultural products are of respectable importance and subject to greater expansion; and

Whereas the State ranks high as a producer of oil and natural gas, and the proximity of producing wells to the site of the new proposed tidewater channel offers to industries desiring tidewater locations, fuel at the lowest possible cost; and

Whereas the construction of this tidewater channel to the sea, as proposed, would permit the development of a large area of land now practically valueless into an industrial center, the excavated material obtained from dredging of this channel and the connecting slips and laterals should be used for raising the adjoining marshland to usable elevation; and

Whereas the wharves and docks of concrete construction, shipside warehouses, and the much-needed foreign-trade zone, and industries of all descriptions requiring tidewater locations, would be located on the banks of this channel and its slips and laterals; and

Whereas the wharves and docks constructed on tidewater elevation would be at least 12 feet below those now on the river front, thus providing tidewater level from which water craft could be loaded and unloaded without adjustment to the varying elevation in the river of 20 feet or more; and

Whereas the wharves, docks, warehouses, and other facilities constructed in this tidewater area would not be subject to sliding or caving banks, as is the case on the river; and

Whereas all these facilities to be served by a system of railroad tracks and modern highways; and

Whereas the eventual construction and use of this tidewater port, made possible by a 40-foot channel to sea, coupled with the reduction in ocean freight rates brought about by the use of larger and deeper-draft cargo carriers, would result in almost unbelievable economies, which would bring about a saving throughout the entire Mississippi Valley and prosperity for the citizens of New Orleans and the State of Louisiana through the growth and expansion of the port's business: Therefore be it

Resolved by the Legislature of Louisiana (the house of representatives and senate concurring), That this legislature go on record as approving the construction and maintenance by the United States of a permanent deep-draft channel 40 feet deep from the Industrial Canal, New Orleans, La., eastward to a point at or near the Mississippi Sound



mouth of the Rigolets, thence to the 40-foot contour in the vicinity of the Government light at the northern extremity of the Chaudet Islands, according to plans of the Chief of Army Engineers; be it further

*Resolved*, That the Governor of Louisiana be, and he is hereby, empowered, in his discretion, for the purpose of aiding and assisting and cooperating with the Federal Government in the obtaining and completion of this project, to authorize any one or more of the several departments of state to grant the use of engineering construction and other equipment, and the services of technicians, engineers, and experts of such departments; be it further

*Resolved*, That the Congress of the United States is hereby memorialized to speedily authorize this project as being in the interest of national defense and general commerce; and be it further

*Resolved*, That copies of this resolution be sent to the President of the United States, the Secretary of War, the Chief of Army Engineers, and to the Louisiana Senators and all the Louisiana Congressmen, and to the members of the Rivers and Harbors Committee of the House of Representatives and the Committee on Commerce of the United States Senate.

Approved June 6, 1944.

#### To the Committee on Banking and Currency:

##### House Concurrent Resolution 13

Concurrent resolution memorializing the Honorable Chester Bowles, Administrator, Office of Price Administration, and the Honorable Marvin Jones, Administrator, War Food Administration, to immediately revise price ceilings on farm products to comply with provisions of the Stabilization Act of 1942 and in accordance with the intentions of Congress in establishing the act; unless such steps are taken immediately memorializing the Members of Congress from this State to take the necessary steps to safeguard farmers and other citizens against such maladministration of the act when price control legislation is extended

Whereas the Stabilization Act of 1942 definitely directs that farm prices shall be adjusted to meet changing conditions. Quoting from the act:

*"Provided further*, That modification shall be made in maximum prices established for any agricultural commodity and for commodities processed or manufactured in whole or substantial part from any agricultural commodity, under regulations, to be prescribed by the President, in any case where it appears that such modification is necessary to increase the production of such commodities for war purposes, or where by reason of increased labor or other costs to the producers of such agricultural commodities incurred since January 1, 1941, the maximum prices so established will not reflect such increased costs: \* \* \* *Provided further*, That in fixing price maximums for agricultural commodities and for commodities processed or manufactured in whole or substantial part from any agricultural commodity, as provided for by this act, adequate weighting shall be given to farm labor."

And whereas this language is very specific and mandatory in character. There can be no reasonable doubt but that Congress intended to require that ceilings on agricultural commodities must be adjusted from time to time to whatever extent necessary to get the maximum production and to offset farmers' increased labor costs and other costs since January 1, 1941.

And whereas in defiance of the clear wording and plain intent of this provision of the law, the administrators of the price control program have failed to make these

price adjustments. Maximum farm prices have been imposed in some cases below levels which would reflect parity prices to farmers. In other cases ceilings have been imposed below the support prices which the War Food Administrator determined were necessary to get adequate production. In other cases ceilings have been imposed below levels necessary to offset farmers' labor costs and other costs since January 1, 1941. For instance, in the case of presently existing ceilings on rough rice, the ceilings are below the levels of the year 1942 and violate the 1942 Emergency Price Control Act. In addition, while labor costs increased from 20 to 50 cents per hour from 1941 to 1944, or an increase of 150 percent, no provision was made for this increased cost or labor in establishing the maximum price ceilings on rough rice, even though the 1942 Price Control Act specifically states that "adequate weighting shall be given to farm labor." Farm labor costs have been increased from 100 to 300 percent in the different types of farming areas in Louisiana since 1941, according to the United States Department of Agriculture, and other costs, such as equipment, feed, seed, containers have increased accordingly. These cost increases, however, have not been considered in establishing the ceilings on the farm products produced in the State: Therefore be it.

*Resolved by the House of Representatives of the Legislature of Louisiana (the Senate of the Legislature of Louisiana concurring)*, That this legislature do request and recommend that the Office of Price Administration take immediate steps to adjust all ceiling prices on farm products in accordance with the provisions of the 1942 Price Control Act in consideration of the intentions of Congress in establishing the act. Unless such steps are taken immediately to adjust the existing gross inequalities and failure to administer the act as passed by Congress, we recommend to the United States Senators and Members of the Congress of the United States from the State of Louisiana that they take adequate steps to safeguard farmers and other citizens against such maladministration of the act; be it further

*Resolved*, That the Clerk of the House of Representatives is hereby directed to forward official copies of this resolution to the Honorable Chester Bowles, Administrator, Office of Price Administration, to the Honorable Marvin Jones, Administrator, War Food Administration, and to each Senator and Representative of the State of Louisiana in the Congress of the United States.

##### Concurrent Resolution 15

Concurrent resolution memorializing the Office of Price Administration to remove ceiling prices from sales of raw furs

Whereas the application of ceiling prices as established by the Office of Price Administration to the sale of raw furs has worked an undue hardship on the trappers of the State, and the treasury of the State; and

Whereas a ceiling price has brought about a heavy loss of revenue to the State of Louisiana; and

Whereas the price of the dressed fur has increased about 80 percent but the price of raw fur remains at an unreasonable low figure: Now, therefore, be it

*Resolved by the Legislature of Louisiana*, That the Office of Price Administration be, and is, hereby memorialized to remove ceiling prices from sales of raw furs, be it further

*Resolved*, That copies of this concurrent resolution be immediately forwarded to the Louisiana senatorial and congressional representatives in Washington, and to the Office of Price Administration and to the press.

#### To the Committee on Military Affairs: House Concurrent Resolution 22

Concurrent resolution memorializing the Congress of the United States to provide for the continued operation of the aluminum plant at Baton Rouge, La., operated for the Defense Plant Corporation by the Aluminum Co. of America

Whereas there has been invested \$25,000,000 in a modern plant for the conversion of raw material into aluminum oxide, which plant has been successfully operating for some time and gainfully employs 800 locally domesticated men and women; and

Whereas the products of this plant can be used for the many needs of our civilian population who, because of wartime restrictions, have not been able to freely secure articles made of aluminum; and

Whereas the continued operation of this plant will contribute materially to the welfare of the State of Louisiana and the Nation: Therefore be it

*Resolved by the House of Representatives (the Senate of the State of Louisiana concurring)*, That this legislature does hereby memorialize the Congress of the United States to make provision for the continued operation of this plant for meeting the needs of our civilian population as well as the war uses of the products of this aluminum plant; be it further

*Resolved*, That copies hereof be sent to the Members of the Louisiana congressional delegation, the Vice President of the United States, Speaker of the House of Representatives, and officials of the Defense Plant Corporation.

Adopted at the regular session of the legislature for 1944.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BRIDGES, from the Committee on Military Affairs:

H.R. 4733. A bill to amend section 514 of the Soldiers' and Sailors' Relief Act; without amendment (Rept. No. 959).

By Mr. McKELLAR, from the Committee on Appropriations:

H.R. 4879. A bill making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes; with amendments (Rept. No. 960); and

H.R. 4937. A bill making appropriations for defense aid (lend-lease), for the participation by the United States in the work of the United Nations Relief and Rehabilitation Administration, and for the Foreign Economic Administration, for the fiscal year ending June 30, 1945, and for other purposes; with amendments (Rept. No. 961).

By Mr. KILGORE, from the Committee on Military Affairs:

S. 1988. A bill to place glider units of the Army and Navy on the same parity as to pay allowances and privileges as now given to the air forces of the Army and Navy and paratroops; with amendments (Rept. No. 962).

By Mr. GURNEY, from the Committee on Military Affairs:

S. J. Res. 134. Joint resolution to provide for the establishment, management, and perpetuation of the Kermit Roosevelt fund; without amendment (Rept. No. 963).

By Mr. LUCAS, from the Committee to Audit and Control the Contingent Expenses of the Senate:

S. Res. 291. Resolution to investigate whether rayon and other synthetic products can be used as a substitute for cotton and wool; with an amendment.





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 78<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 90

WASHINGTON, TUESDAY, JUNE 13, 1944

No. 109

## Senate

(Legislative day of Tuesday, May 9, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of our fathers, facing tasks that tower above our power to achieve, with a sense of our utter inadequacy we bow for the strengthening benediction of our morning prayer. We come with hearts solemnized by the costly sacrifice which every day is being made to defend the liberty which is the very breath of our life. Hear our supplication as out of our gratitude and our grief, our longing solicitude wings its way over dim leagues to those absent, dearer to us than life itself, joined to us in a living fellowship that no danger or distance can sever.

The long rows of the fallen on far beaches stain the red of our flag to a new luster as, with aching hearts strangely moved, we salute the broad stripes and bright stars, singing softly in our hearts, not without sobs but with new meaning,

"O beautiful for heroes proved

In liberating strife,

Who more than self their country loved,  
And freedom more than life."

As soldiers marching with them in that liberating strife, in this time of tumult, in this hour of danger, in this night of anxiety, give us calmness of mind, stability of purpose, consecration to duty, and a stern determination to finish the work which Thou hast given us to do. We ask it in the name that is above every name. Amen.

### THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, June 12, 1944, was dispensed with, and the Journal was approved.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

### CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore (Mr. GILLETTE). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alben	Green	Revercomb
Austin	Guffey	Reynolds
Ball	Gurney	Robertson
Bankhead	Hatch	Russell
Bilbo	Hill	Shipstead
Brewster	Holman	Stewart
Bridges	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Lucas	Thomas, Utah
Butler	McClellan	Truman
Byrd	McFarland	Tunnell
Capper	McKellar	Vandenberg
Chavez	Maloney	Wagner
Connally	Maybank	Wallgren
Cordon	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Wecks
Downey	Murdock	Wheeler
Eastland	Murray	Wherry
Ellender	O'Daniel	White
Ferguson	Overton	Wiley
George	Pepper	Willis
Gerry	Radcliffe	Wilson
Gillette	Reed	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], and the Senator from Wyoming [Mr. O'MAHONEY] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. BARKLEY], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senator from South Carolina [Mr. SMITH], and the Senator from Maryland [Mr. TYDINGS] are detained on public business.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from North Carolina [Mr. BAILEY] is necessarily absent.

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS], the Senator from New Jersey [Mr. HAWKES], the Senator from North Dakota [Mr. LANGER], and the Senator from North Dakota [Mr. NYE] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The ACTING PRESIDENT pro tempore. Seventy-four Senators have answered to their names. A quorum is present.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1767) to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3476) to approve a contract negotiated with the Klamath Drainage District and to authorize its execution, and for other purposes.

The message further announced that the House further insisted upon its disagreement to the amendments of the Senate numbered 8 and 9 to the bill (H. R. 4559) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1945, and additional appropriations therefor for the fiscal year 1944, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SHEPPARD, Mr. THOMAS of Texas, Mr. COFFEE, Mr. WHITTEN, Mr. PLUMLEY, Mr. JOHNSON of Indiana, and Mr. FLOESER were appointed managers on the part of the House.

### TRANSACTIONS BY UNITED STATES DISBURSING OFFICERS

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of the Treasury transmitting a draft of proposed legislation to authorize certain transactions by disbursing officers of the United States, and for other purposes, which, with the accompanying paper, was referred to the Committee on Banking and Currency.

### PETITIONS

The ACTING PRESIDENT pro tempore laid before the Senate petitions of sundry citizens and representatives of various real-estate companies and cor-



porations of New York City, and vicinity, New York, praying for amendment of the rent-control section of the Emergency Price Control Act so as to remove alleged inequities therefrom, which were ordered to lie on the table.

#### PRICE CONTROL AND STABILIZATION PROGRAM—PETITIONS

Mr. AIKEN. Mr. President, I have received a petition reading as follows:

The new Senate-proposed price-control bill with 12 crippling amendments would break the back of price control and the whole stabilization program. If it became law it would be the beginning of real inflation which is bad for the people and our Nation at war.

We urge you work and vote for a strong price control law and full stabilization including wage adjustments to bring wages in line with already high cost of living.

The petition is signed by approximately 1,000 members of the United Electrical Workers Union, Local 218, of Springfield, Vt.

The ACTING PRESIDENT pro tempore. Does the Senator request that the petition be printed in the RECORD together with the names signed thereto?

Mr. AIKEN. I do not ask to have the petition or the names printed in the RECORD. I simply wish to have the body of the petition which I have read shown in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, the petition presented by the Senator from Vermont will be received and lie on the table.

#### ST. LAWRENCE SEAWAY—LETTER

Mr. AIKEN. Mr. President, I ask unanimous consent to read into the the RECORD and to have appropriately referred a very short statement or letter from the City Port Commission of Lorain, Ohio.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Vermont? The Chair hears none, and the Senator may proceed.

Mr. AIKEN. The letter is as follows:

CITY PORT COMMISSION,  
Lorain, Ohio, June 9, 1944.

HON. GEORGE D. AIKEN,

United States Senate, Washington, D. C.

DEAR SENATOR AIKEN: The members of the port commission of the city of Lorain, Ohio, wish to inform you that they have gone on record in favor of the St. Lawrence seaway, and wish to urge your support of this long-deferred and urgently needed project.

Respectfully yours,

J. ALBAN MINNICH, D. D. S.,

President, Lorain Port Commission.

The ACTING PRESIDENT pro tempore. Without objection, the statement presented by the Senator from Vermont will be referred to the Committee on Commerce.

Mr. AIKEN also presented a resolution of the City Council of Burlington, Vt., relating to the Great Lakes-St. Lawrence seaway and power agreement with Canada, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Resolution relating to urging prompt approval by Congress of the Great Lakes-St. Lawrence seaway and power agreement with Canada

Whereas the Burlington City Council has consistently advocated the St. Lawrence sea-

way, as embodied in the pending Aiken-Pittenger bill now before the Congress; and Whereas the taxpayers have in 2 years already paid, in subsidies and lost income from direct electrical and transportation receipts, more than the cost of the St. Lawrence seaway itself; and

Whereas the shortage of feed, fuel, and other farm and civilian supplies, caused largely by the lack of proper water transportation, now retards the development, not only of the farm, but of mining and the industries of the Northeastern States, especially as compared with other sections of the United States; and

Whereas the cheap power generated and distributed would create a necessary and vast improvement in the agricultural and general welfare of labor and industry throughout New York and New England; and

Whereas 78 percent of the cost of this St. Lawrence seaway project is for labor, direct and indirect, which will contribute in no small way to post-war employment: Now therefore

Resolve, That the Burlington City Council urge prompt approval by Congress of the Great Lakes-St. Lawrence seaway and power agreement with Canada, in order that the project may go forward and thus create this new water highway with its great electrical benefits.

#### REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. HILL from the Committee on Military Affairs:

S. 1973. A bill to provide additional pay for enlisted men of the Army assigned to the Infantry who are awarded the expert infantryman badge or the combat infantryman badge; without amendment (Rept. No. 964).

#### EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

#### RIVER AND HARBOR IMPROVEMENTS—AMENDMENT

Mr. MEAD submitted an amendment intended to be proposed by him to the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was ordered to lie on the table and to be printed.

#### APPROPRIATIONS FOR WAR AGENCIES—AMENDMENT

Mr. RUSSELL submitted an amendment intended to be proposed by him to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

On page 10, line 16, after "\$500,000" insert a colon and the following: "Provided, That not more than 25 percent of the part of this appropriation which is used for the payment of compensation for personal services shall be used for the payment of compensation of persons who are members of any race comprising less than 15 percent of the total population of the United States, according to the 1940 census."

#### SPECIAL COMMITTEE TO STUDY AND SURVEY PROBLEMS OF SMALL BUSINESS ENTERPRISES—LIMIT OF EXPENDITURES

Mr. MURRAY submitted the following resolution (S. Res. 308), which was re-

ferred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution 298, Seventy-sixth Congress (providing for a study and survey of the problems of American small business enterprises), agreed to October 8, 1940, and continued by Senate Resolution 66, Seventy-eighth Congress, is hereby increased by \$25,000.

#### ADDRESS BY THE PRESIDENT ON OPENING OF THE FIFTH WAR LOAN DRIVE

[Mr. GEORGE asked and obtained leave to have printed in the RECORD the address delivered by the President of the United States on June 12, 1944, in connection with the opening of the Fifth War Loan drive, which appears in the Appendix.]

#### AMENDING PRICE CONTROL—EDITORIAL FROM NEW ORLEANS TIMES-PICAYUNE

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an editorial entitled "Amending Price Control," published in the New Orleans Times-Picayune of June 10, 1944, which appears in the Appendix.]

#### APPROPRIATIONS FOR DEFENSE AID (LEND-LEASE), U. N. R. R. A., AND FOREIGN ECONOMIC ADMINISTRATION

Mr. McKELLAR. Mr. President, I move that the Senate proceed to the consideration of House bill 4937, making appropriations for defense aid. It is the lend-lease appropriation bill.

The ACTING PRESIDENT pro tempore. The clerk will state the bill by title.

The CHIEF CLERK. A bill (H. R. 4937) making appropriations for defense aid (lend-lease), for the participation by the United States in the work of the United Nations Relief and Rehabilitation Administration, and for the Foreign Economic Administration, for the fiscal year ending June 30, 1945, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. McKELLAR. Mr. President, I ask that the formal reading of the bill be dispensed with, that it be read for amendment, and that committee amendments be first considered.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will state the first amendment of the Committee on Appropriations.

The first amendment of the Committee on appropriations was, under the heading "Title II—United Nations Relief and Rehabilitation Administration," on page 5, line 10, after the figures "\$450,000,000", to strike out ", not to exceed \$21,700,000 shall be available for procurement for 61,700,000 pounds of raw wool from stock piles of the United States Government existing on the date of the approval of this Act and \$43,200,000 shall be available for procurement of 345,500 bales of cotton now owned by the Commodity Credit Corporation," and to insert "not to exceed \$21,700,000 shall be available for procurement of 61,700,000

# H. R. 4879

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IN THE SENATE OF THE UNITED STATES

JUNE 13 (legislative day, MAY 9), 1944

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. RUSSELL to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, viz:

- 1       On page 10, line 16, after "\$500,000" insert a colon
- 2   and the following: "*Provided*, That not more than 25 per
- 3   centum of the part of this appropriation which is used for
- 4   the payment of compensation for personal services shall be
- 5   used for the payment of compensation of persons who are
- 6   members of any race comprising less than 15 per centum
- 7   of the total population of the United States, according to
- 8   the 1940 census".



# H. R. 4879

## AMENDMENT

Intended to be proposed by Mr. Russell to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

JUNE 13 (legislative day, MAY 9), 1944

Ordered to lie on the table and to be printed













# H. R. 4879

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IN THE SENATE OF THE UNITED STATES

JUNE 15 (legislative day, MAY 9), 1944

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. VANDENBERG to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, viz: On page 29, after line 19, insert the following:

- 1 COMMITTEE FOR CONGESTED PRODUCTION AREAS
- 2 Salaries and expenses: For all expenses necessary to
- 3 enable the Committee for Congested Production Areas to
- 4 carry out the functions vested in it by Executive Order
- 5 Numbered 9327, including travel expenses (not to exceed
- 6 \$48,000) ; printing and binding (not to exceed \$2,550) ;
- 7 purchase of newspapers and periodicals (not to exceed
- 8 \$600) ; the employment of State, county, or municipal offi-
- 9 cials and employees, with or without compensation; and
- 10 the temporary employment of persons or organizations, by
- 11 contract or otherwise, without regard to section 3709 of
- 12 the Revised Statutes and the civil-service and classification
- 13 laws (not to exceed \$15,000) ; \$669,000.



78th CONGRESS  
2d Session

# H. R. 4879

## AMENDMENT

Intended to be proposed by Mr. VANDENBERG to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

JUNE 15 (legislative day, MAY 9), 1944  
Ordered to lie on the table and to be printed

78TH CONGRESS  
2D SESSION

# H. R. 4879

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IN THE SENATE OF THE UNITED STATES

JUNE 15 (legislative day, MAY 9), 1944

Ordered to lie on the table and to be printed

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## AMENDMENT

Intended to be proposed by Mr. DANAHY to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, viz: On page 10, after line 2, insert the following:

1 FINDINGS AND DECLARATION OF POLICY

2 SECTION 1. The Congress finds that the practice of  
3 denying employment opportunities to, and discriminating  
4 in employment against, properly qualified persons by reason  
5 of their race, creed, color, national origin, or ancestry, foments  
6 domestic strife and unrest, deprives the United States of  
7 the fullest utilization of its capacities for production and  
8 defense, and burdens, hinders, and obstructs commerce.

9 It is hereby declared to be the policy of the United



1 States to eliminate such discrimination in all employment  
2 relations which fall within the jurisdiction or control of the  
3 Federal Government as hereinafter set forth.

4 UNFAIR EMPLOYMENT PRACTICES DEFINED

5 SEC. 2. (a) It shall be an unfair employment practice  
6 for any employer within the scope of this Act—

7 (1) to refuse to hire any person because of such  
8 person's race, creed, color, national origin, or ancestry;

9 (2) to discharge any person from employment  
10 because of such person's race, creed, color, national  
11 origin, or ancestry;

12 (3) to discriminate against any person in com-  
13 pensation or in other terms or conditions of employ-  
14 ment because of such person's race, creed, color, national  
15 origin, or ancestry.

16 (b) It shall be an unfair employment practice for any  
17 labor union within the scope of this Act to discriminate against  
18 any member, employer, or employee because of such per-  
19 son's race, creed, color, national origin, or ancestry.

20 (c) It shall be an unfair employment practice for any  
21 employer or labor union within the scope of this Act to dis-  
22 charge, expel, or otherwise discriminate against any person  
23 because he has opposed any practices forbidden by this Act  
24 or because he has filed a charge, testified, or assisted in any  
25 proceeding under this Act.

## SCOPE OF ACT

SEC. 3. (a) This Act shall apply to any employer having in his employ more than five persons, who is (1) engaged in interstate or foreign commerce; (2) under contract with the United States or any agency thereof; or (3) performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party.

(b) This Act shall apply to any labor union which has five or more members in the employ of one or more employers covered by the preceding paragraph.

(c) This Act shall apply to the employment practices in the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (e) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this Act may petition the Attorney General of the United States for the enforcement of such order, and it shall thereupon be the duty of the Attorney General to take such measures as may secure obedience to any such order. Every official who willfully violates any such order shall be summarily discharged from the Government employ.



## 1                   FAIR EMPLOYMENT PRACTICE COMMISSION

2           SEC. 4. For the purpose of preventing unfair employ-  
3 ment practices on the part of employers and labor unions,  
4 there is hereby established a commission to be known as the  
5 Fair Employment Practice Commission, which shall consist  
6 of a Chairman and six additional members to be appointed by  
7 the President, by and with the advice and consent of the  
8 Senate, who shall serve for a term of seven years except that  
9 the terms of the members originally appointed shall expire  
10 seriatim at intervals of one year. Any member of the Com-  
11 mission may be removed by the President, upon notice and  
12 hearing, for neglect of duty or malfeasance in office, but for  
13 no other cause. Four members of the Commission shall at all  
14 times constitute a quorum.

## 15                                   REPORTS

16          SEC. 6. The Commission shall at the close of each fiscal  
17 year make a report in writing to the Congress and to the  
18 President concerning the cases it has heard, the decisions it  
19 has rendered, the names, salaries, and duties of all employees  
20 and officers in the employ or under the supervision of the  
21 Commission, and an account of all moneys it has disbursed,  
22 and shall make such recommendations for further legislation  
23 as may appear desirable.

## 24                                   SALARIES

25          SEC. 6. Each member of the Commission shall receive

1 a salary of \$10,000 a year, shall be eligible for reappoint-  
2 ment, and shall not engage in any other business, vocation,  
3 or employment.

#### 4 TERMINATION OF COMMITTEE ON FAIR EMPLOYMENT

##### 5 PRACTICE

6 SEC. 7. Upon the appointment of the members of the  
7 Commission, the Committee on Fair Employment Practice,  
8 established by Executive Order Numbered 9346 of May 27,  
9 1943, shall cease to exist. All employees of the said Com-  
10 mittee shall be transferred to and become employees of the  
11 Commission. All records, papers, and property of the Com-  
12 mittee shall pass into the possession of the Commission, and  
13 all unexpended funds and appropriations for the use and  
14 maintenance of the Committee shall be available to the  
15 Commission.

##### 16 LOCATION OF OFFICES

17 SEC. 8. The Commission shall hold its sessions in the  
18 District of Columbia and at such other places as it may  
19 designate. The Commission may, by one or more of its  
20 members or by such referees, agents, or agencies as it may  
21 designate, prosecute any inquiry or conduct any hearing  
22 necessary to its functions in any part of the United States  
23 or any Territory or insular possession thereof.

#### 24 PROHIBITION OF UNFAIR EMPLOYMENT PRACTICES

25 SEC. 9. (a) Whenever it is charged that any person has



1 engaged in any such unfair employment practice, the Com-  
2 mission, or any referee, agent, or agency designated by the  
3 Commission for such purposes, shall have power to issue and  
4 cause to be served upon such person a complaint stating the  
5 charges in that respect and containing a notice of hearing  
6 before the Commission or a member thereof, or before a  
7 designated referee, agent, or agency in the district of such  
8 person's residence at a place therein fixed not less than seven  
9 nor more than fourteen days after the serving of said  
10 complaint.

11 (b) The person so complained of shall have the right  
12 to file an answer to such complaint and to appear in person  
13 or otherwise, with or without counsel, and give testimony at  
14 the place and time fixed in the complaint.

15 (c) If upon all the testimony taken the Commission  
16 shall be of the opinion that any person named in the com-  
17 plaint has engaged in any such unfair employment practice,  
18 the Commission shall state its findings of fact and shall issue  
19 and cause to be served on such person an order requiring  
20 such person to cease and desist from such unfair employment  
21 practice and to take such affirmative action, including hiring  
22 or reinstatement of employees with or without back pay, as  
23 will effectuate the policies of this Act. If, upon all the testi-  
24 mony taken, the Commission shall be of the opinion that  
25 no person named in the complaint has engaged in any such

1 unfair employment practice, the Commission shall state its  
2 findings of fact and shall issue an order dismissing the said  
3 complaint.

4 (d) The Commission shall have power to petition any  
5 circuit court of appeals of the United States (including the  
6 United States Court of Appeals for the District of Columbia)  
7 or, if all the circuit courts of appeals to which applica-  
8 tion might be made are in vacation, any district court of the  
9 United States, within any circuit or district, respectively,  
10 wherein the unfair employment practice in question occurred,  
11 or wherein such person resides or transacts business, for the  
12 enforcement of such order and for appropriate temporary re-  
13 lief or restraining order, and shall certify and file in the  
14 court to which petition is made a transcript of the entire  
15 record in the proceeding, including the pleadings and testi-  
16 mony upon which such order was entered and the findings  
17 and the order of the Commission. Upon such filing, the court  
18 to which petition is made shall conduct further proceedings  
19 in conformity with the procedures established by law govern-  
20 ing petitions for enforcement of the orders of the National  
21 Labor Relations Board.

22 (e) Any person aggrieved by a final order of the Com-  
23 mission granting or denying in whole or in part the relief  
24 sought may obtain a review of such order in any circuit  
25 court of appeals of the United States (including the United

1 States Court of Appeals for the District of Columbia) within  
2 any circuit wherein the unfair employment practice in ques-  
3 tion was alleged to have occurred or wherein such person  
4 resides or transacts business by filing in such court a written  
5 petition praying that the order of the Commission be  
6 modified or set aside. Upon such filing, the reviewing court  
7 shall conduct further proceedings in conformity with the  
8 procedures established by law governing petitions for review  
9 of the orders of the National Labor Relations Board.

10

## INVESTIGATORY POWERS

11 SEC. 10. (a) For the purpose of all hearings and in-  
12 vestigations which in the opinion of the Commission are  
13 necessary and proper for the exercise of the powers vested  
14 in it by this Act, the Commission, or its duly authorized  
15 agents or agencies, shall at all reasonable times have access  
16 to, for the purpose of examination, and the right to subpoena  
17 the production of the books, records, or other evidence of  
18 any person being investigated or proceeded against that  
19 relates to any matter under investigation or in question.  
20 Any member of the Commission shall have power to issue  
21 subpoenas requiring the attendance and testimony of wit-  
22 nesses and the production of any evidence that relates to  
23 any matter under investigation or in question, before the  
24 Commission, its member, agent, or agency conducting the  
25 hearing or investigation. Any member of the Commission,



1 or any agent or agency designated by the Commission for  
2 such purposes, may administer oaths and affirmations, exam-  
3 ine witnesses, and receive evidence. Such attendance of  
4 witnesses and the production of such evidence may be re-  
5 quired at any designated place of hearing in the district  
6 wherein the respondent resides or transacts business.

7 (b) In case of contumacy or refusal to obey a subpoena  
8 issued to any person, any district court of the United States  
9 or the United States courts of any Territory or possession,  
10 or the District Court of the United States for the District  
11 of Columbia, within the jurisdiction of which the inquiry is  
12 carried on or within the jurisdiction of which said person  
13 guilty of contumacy or refusal to obey is found or resides  
14 or transacts business, upon application by the Commission  
15 shall have jurisdiction to issue to such person an order re-  
16 quiring such person to appear before the Commission, its  
17 member, agent, or agency, there to produce evidence if so  
18 ordered, or there to give testimony touching the matter  
19 under investigation or in question; and any failure to obey  
20 such order of the court may be punished by said court as  
21 a contempt thereof.

22 (c) No person shall be excused from attending and  
23 testifying or from producing books, records, correspondence,  
24 documents, or other evidence in obedience to the subpoena  
25 of the Commission, on the ground that the testimony or

1 evidence required of him may tend to incriminate him or  
2 subject him to a penalty or forfeiture; but no individual  
3 shall be prosecuted or subjected to any penalty or forfeiture  
4 for or on account of any transaction, matter, or thing con-  
5 cerning which he is compelled, after having claimed his  
6 privilege against self-incrimination, to testify or produce  
7 evidence, except that such individual so testifying shall not be  
8 exempt from prosecution and punishment for perjury com-  
9 mitted in so testifying.

10

## RULES AND REGULATIONS

11 SEC. 11. The Commission shall have authority from  
12 time to time to make, amend, and rescind such regulations  
13 as may be necessary to carry out the provisions of this Act.  
14 Such regulations shall be effective sixty days after transmis-  
15 sion to the Congress unless the Congress has in the interim  
16 amended or nullified such regulations by appropriate legisla-  
17 tion or has adjourned within ten days after the submission  
18 of such regulations. Such regulations shall set forth the  
19 procedure for service and amendment of complaints, for  
20 intervention in proceedings before the Commission, for rules  
21 of evidence to be applied by the Commission, for the  
22 taking of testimony and its reduction to writing, for the  
23 modification of the findings or orders prior to the filing of  
24 records in court, for the service and return of process and  
25 fees of witnesses, and with respect to the seal of the Com-

1 mission, which shall be judicially noticed, the payment of  
2 expenses of members and employees of the Commission, the  
3 qualification and disqualification of members and employees  
4 and any other matters appropriate in the execution of the  
5 provisions of this Act.

6 GOVERNMENT CONTRACTS

7 SEC. 12. (a) All contracting agencies of the Govern-  
8 ment of the United States shall include in all contracts here-  
9 after negotiated or renegotiated by them a provision obligating  
10 the contractor not to discriminate against any employee or  
11 applicant for employment because of race, creed, color,  
12 national origin, or ancestry, and requiring him to include a  
13 similar provision in all subcontracts.

14 (b) Unless the Commission shall otherwise determine  
15 and state in its order, no contract shall be awarded by the  
16 United States or any agency thereof to any person found by  
17 the Commission to have violated any of the provisions of this  
18 Act or to any firm, corporation, partnership, or association  
19 in which such person has a controlling interest, until three  
20 years have elapsed from the date when the Commission  
21 determines such violation to have occurred. The Comptroller  
22 General is authorized and directed to distribute a list to all  
23 agencies of the United States containing the names of such  
24 persons.



## OFFENSES AND PENALTIES

2        SEC. 13. Any person who shall willfully resist, prevent,  
3        impede, or interfere with any member of the Commission or  
4        any of its referees, agents, or agencies, in the performance of  
5        duties pursuant to this Act, shall be punished by a fine of not  
6        more than \$5,000 or by imprisonment for not more than  
7        one year, or both.

## SEPARABILITY CLAUSE

9 SEC. 14. If any provision of this Act or the application  
10 of such provision to any person or circumstance shall be held  
11 invalid, the remainder of such Act or the application of such  
12 provision to persons or circumstances other than those to  
13 which it is held invalid shall not be affected thereby.

## DEFINITIONS

SEC. 15. (1) The term “person” includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

18       (2) The term “employer” includes any person acting  
19 in the interest of any employer, directly or indirectly.

(3) The term "labor union" includes any organization in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning the terms or conditions of employment.

24 (4) Unless otherwise specified, the term “Commission”

1 means the Fair Employment Practice Commission created  
2 by section 4 of this Act.

3 (5) The term "Committee" means the Committee on  
4 Fair Employment Practice established by Executive Order  
5 Numbered 9346 of May 27, 1943.

6 (6) The term "commerce" means trade, traffic, com-  
7 merce, transportation, or communication among the several  
8 States, or between the District of Columbia or any Territory  
9 of the United States and any State or other Territory or be-  
10 tween any foreign country and any State, Territory, or the  
11 District of Columbia, or within the District of Columbia or  
12 any Territory, or between points in the same State but  
13 through any other State or Territory or the District of Co-  
14 lumbia or any foreign country.

15 SEC. 16. This Act may be cited as the "Fair Employ-  
16 ment Practices Act."

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## AMENDMENT

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Intended to be proposed by Mr. DANAHY to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

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JUNE 15 (legislative day, MAY 9), 1944

Ordered to lie on the table and to be printed



Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert: "\$2,000,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: ", and including the temporary employment (not exceeding \$30,000) of persons or organizations by contract or otherwise, without regard to section 3709 of the Revised Statutes and the Classification Act of 1923, as amended"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In line 3 of of the said amendment, after the word "of," insert the words "more than four"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "purchase of uniforms for guards and elevator conductors,"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 35, 57, 64, 65, and 66.

KENNETH B. McKELLAR,  
RICHARD B. RUSSELL,  
THEODORE FRANCIS GREEN,  
WALLACE H. WHITE, Jr.,  
*Managers on the part of Senate.*

C. A. WOODRUM,  
JAMES M. FITZPATRICK,  
JOE STARNES,  
JOE HENDRICKS,  
R. B. WIGGLESWORTH,  
EVERETT M. DIRKSEN,  
FRANCIS CASE,  
*Managers on the part of the House.*

Mr. BRIDGES. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRIDGES. What is the Senate considering at the moment?

Mr. McKELLAR. I have presented the conference report on the executive and independent offices appropriation bill. The House has agreed to the report. It is now proposed that the Senate complete action on the measure and send it to the President.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. McKELLAR. I move the adoption of the conference report.

The report was agreed to.

Mr. McKELLAR. I now ask the Chair to lay before the Senate the message from the House announcing its action on certain Senate amendments.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4070, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,  
June 15, 1944.  
Resolved, That the House recede from its disagreement to the amendment of the Sen-

ate numbered 35 to the bill (H. R. 4070) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes, and concur therein with an amendment as follows: In line 6 of the matter inserted by said Senate engrossed amendment, after "appropriated" insert "subject to the approval of the Chairman of the War Manpower Commission as to the availability of manpower and subject to the approval of the Chairman of the War Production Board as to the availability of critical materials."

That the House recede from its disagreement to the amendment of the Senate No. 57 to said bill and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "and accounted for as one fund to be known as the 'Tennessee Valley Authority fund 1945', to remain available until June 30, 1945, and to be available for the payment of obligations chargeable against the 'Tennessee Valley Authority fund, 1944,' and the Tennessee Valley Authority shall file reports every 4 months with the two Appropriations Committees of the Congress of all its receipts and expenditures."

That the House recede from its disagreement to the amendment of the Senate No. 65 to said bill and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment insert a period and the following: "Any officer or employee of the Government who uses or authorizes the use of any Government-owned motor-propelled passenger-carrying vehicle, or of any motor-propelled passenger-carrying vehicle leased by the Government, for other than official purposes or otherwise violates the provisions of this subsection shall be summarily removed from office."

That the House still further insist upon its disagreement to the amendments of the Senate Nos. 64 and 66 to said bill.

Mr. McKELLAR. Mr. President, in order to complete action on the bill I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 35, 57, and 65.

Mr. WHITE. Mr. President, it is almost impossible to know what is happening when we deal with amendments by number only. Will the Senator indicate what the amendments are?

Mr. McKELLAR. I will ask that the clerk be directed to read the House action on Senate amendment numbered 35.

The PRESIDING OFFICER. The clerk will read, as requested.

The Chief Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 35 to the bill and concur therein with an amendment as follows: In line 6 of the matter inserted by said Senate engrossed amendment, after "appropriated" insert "subject to the approval of the Chairman of the War Manpower Commission as to the availability of manpower and subject to the approval of the Chairman of the War Production Board as to the availability of critical materials."

Mr. WHITE. Will the Senator indicate what that means?

Mr. McKELLAR. It provides for a release of certain critical war materials which have been impounded for some time. I am sure the Senator is in favor of it. I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 35.

The motion was agreed to.

Mr. McKELLAR. I now move that the Senate concur in the amendment of the

House to the amendment of the Senate numbered 57. That deals with the Tennessee Valley Authority.

Mr. MAYBANK. Mr. President, what is the amendment?

The PRESIDING OFFICER. The House action on the amendment will be read.

The Chief Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate No. 57 to said bill and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "and accounted for as one fund to be known as the 'Tennessee Valley Authority fund, 1945,' to remain available until June 30, 1945, and to be available for the payment of obligations chargeable against the 'Tennessee Valley Authority fund, 1944,' and the Tennessee Valley Authority shall file reports every 4 months with the two appropriations committees of the Congress of all its receipts and expenditures."

Mr. McKELLAR. Mr. President, the Senate conferees receded on the Tennessee Valley Authority amendment on which we had previously insisted before, and we agreed to an amendment to the House provision.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to.

Mr. McKELLAR. Mr. President, I now ask that the House action on the Senate amendment numbered 65 be read.

The PRESIDING OFFICER. The clerk will read.

The Chief Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate No. 65 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert a period and the following: "Any officer or employee of the Government who uses or authorizes the use of any Government-owned motor-propelled passenger-carrying vehicle, or of any motor-propelled passenger-carrying vehicle leased by the Government, for other than official purposes or otherwise violates the provisions of this subsection shall be summarily removed from office."

Mr. WHITE. Mr. President, am I correct in my understanding that the substance of that amendment involves a receding by the Senate from the penalty it provided for unlawful use of Government-owned automobiles, and substitutes therefor dismissal from office?

Mr. McKELLAR. The Senator accurately states the matter. I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 65.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to.

Mr. McKELLAR. Mr. President, I now move that the Senate recede from its amendments numbered 64 and 66.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to.

Mr. McKELLAR. As I understand, that completes action on the bill, and it will now go to the President.

The PRESIDING OFFICER. The Senator's statement is correct.



## APPROPRIATIONS FOR WAR AGENCIES

Mr. McKELLAR. Mr. President, I move that the Senate proceed to the consideration of House bill 4879, making appropriations for war agencies.

Mr. RUSSELL. Mr. President, before action is taken on the motion I wish to say that there is one amendment in the bill which is supposed to go over until tomorrow, and I want some understanding about that before the Senate proceeds to consideration of the bill.

Mr. President, I wish first to have an understanding as to the item on page 10, beginning in line 3, known as the appropriation for the Committee on Fair Employment Practice, an item which has not heretofore been in the bill, and which ratifies the creation of an executive agency by the President. I wish to have an understanding that that provision shall not be considered today.

Mr. McKELLAR. Mr. President, the Senator spoke to me about that provision this morning, and, so far as I am concerned, I have no objection whatsoever to that particular item going over until tomorrow. As I understand there will be considerable discussion about it on both sides of the aisle.

Mr. RUSSELL. I ask unanimous consent that the provision be not considered before tomorrow.

Mr. WHITE. Mr. President, I want to be sure I understand the Senator's request. Is the Senator from Georgia asking that the item respecting the Committee on Fair Employment Practice go over until tomorrow?

Mr. RUSSELL. Yes. I ask that no action shall be taken on the item dealing with this agency until tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia? The Chair hears none, and it is so ordered.

The question now is on agreeing to the motion of the Senator from Tennessee that the Senate proceed to the consideration of House bill 4879.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

I must make an exception of the amendments in the section relating to the Committee on Fair Employment Practice, on page 10, after line 2. It is my understanding that the entire section relating to the Committee on Fair Employment Practice will go over until tomorrow, and I ask unanimous consent that those amendments be passed over.

Mr. RUSSELL. I understand that has already been agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

Mr. MAYBANK. Mr. President, I submit two amendments to the pending bill which I ask to have printed and lie on the table.

The PRESIDING OFFICER. The amendments will be printed and lie on the table.

The clerk will state the first amendment reported by the committee.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Executive Office of the President," on page 4, after line 5, to strike out:

## SELECTIVE SERVICE SYSTEM

Salaries and expenses, Selective Service System: For all expenses necessary for the operation and maintenance of the Selective Service System as authorized by the Selective Training and Service Act of 1940 (50 U. S. C. App. 301); including not to exceed \$400,000 for printing and binding; purchase, for replacement, of not to exceed 32 motor-propelled passenger-carrying vehicles; and, under such rules or regulations as may be prescribed by the Director of Selective Service, expenses of emergency medical care, including hospitalization, of registrants who suffer illness or injury, and the transportation, and burial, of the remains of registrants who suffer death, while acting under orders issued under the Selective Service law but such burial expenses shall not exceed \$150 in any one case; \$61,500,000: *Provided*, That such amounts as may be necessary shall be available for the planning, directing, and operation of a program of work of national importance under civilian direction, either independently or in cooperation with governmental or nongovernmental agencies, and the assignment and delivery thereto of individuals found to be conscientiously opposed to participation in work of the land or naval forces, which cooperation with other agencies may include the furnishing of funds to and acceptance of money, services, or other forms of assistance from such nongovernmental agencies for the more effectual accomplishment of the work; and for the pay and allowances of such individuals at rates not in excess of those paid to persons inducted into the Army under the Selective Service System, and such privileges as are accorded such inductees: *Provided further*, That the travel of persons engaged in the administration of the Selective Service System, including commissioned, warrant, or enlisted personnel of the Army, Navy, Marine Corps, or their reserve components, may be ordered by the Director or by such persons as he may authorize, and persons so traveling shall be entitled to transportation and subsistence or per diem in lieu of subsistence, at rates authorized by law: *Provided further*, That the Director of Selective Service, in prescribing per diem rates of allowance, not exceeding \$7, in lieu of subsistence for officers of the Army, Navy, and Marine Corps, and of the reserve components thereof, traveling on official business and away from their designated posts of duty, pursuant to the first paragraph of section 12 of the act approved June 16, 1942 (37 U. S. C. 112), is hereby authorized to prescribe such per diem rates of allowance, whether or not orders are given to such officers for travel to be performed repeatedly between two or more places in the same vicinity, and without regard to the length of time away from their designated posts of duty under such orders.

Mr. WHITE. Mr. President, I should like to ask the Senator from Tennessee a question. As I understand, the first amendment is to strike out certain language on page 4 of the bill and transfer it to some other place in the bill.

Mr. McKELLAR. The Senator is correct.

Mr. WHITE. As I understand, there is no change in the substance.

Mr. McKELLAR. The Senator is entirely correct.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, under the heading "Executive Office of the President—Office for Emergency Management—Division of Central Administrative Services", on page 8, line 13, after "(not to exceed \$50,000);" to strike out "\$7,783,000" and insert "\$8,356,000", and in line 14, after the amendment just above stated, to strike out the following proviso: "*Provided*, That there may be transferred from this appropriation to appropriations available to the constituent agencies of the Office for Emergency Management and to other agencies such amounts as may be necessary in connection with the transfer of functions from the Division to such agencies and funds so transferred shall be consolidated with and shall be expendable in the same manner as funds of the agencies to which functions are transferred" and insert in lieu thereof the following provisos: "*Provided*, That there may be transferred to this appropriation from appropriations available to the constituent agencies of the Office for Emergency Management and to the Office of Price Administration such amounts as may be necessary for the procurement of supplies, equipment, and services for such agencies and such Administration, and funds so transferred shall be consolidated with and shall be expendable in the same manner as this appropriation: *Provided further*, That the constituent agencies (except the War Shipping Administration) of the Office for Emergency Management and the Office of Price Administration shall not establish, in the District of Columbia or in the field, fiscal, procurement, space allocation or procurement, duplicating, distribution, communication, or other general services, wherever the Director of the Bureau of the Budget determines that the Division of Central Administrative Services can render any such service."

The amendment was agreed to.

The next amendment was, under the subhead "Office of Civilian Defense," on page 9, line 17, after the word "exceed", to strike out "\$150,300" and insert "\$112,725"; in line 18, after the word "exceed", to strike out "\$13,000" and insert "\$9,750"; in the same line, before the word "and", to strike out "\$538,500" and insert "\$403,875"; in line 19, before the word "for", to strike out "\$461,500" and insert "\$346,125", and in line 21, after the words "in all", to strike out "\$1,000,000" and insert "\$750,000."

The amendment was agreed to.

The next amendment was, under the subhead "Committee on Fair Employment Practice," on page 10, line 5, after the word "out", to strike out "the" and insert "any"; in the same line, after the word "functions", to insert "lawfully"; and in line 8, before the words "per



annum", to strike out "\$10,000" and insert "\$8,000."

The **PRESIDING OFFICER**. Pursuant to the unanimous-consent agreement already entered into, the amendments under the subhead "Committee on Fair Employment Practice," on page 10, will be passed over.

The clerk will state the next committee amendment.

The next amendment was, under the subhead "Office of the Coordinator of Inter-American Affairs," on page 12, line 17, before the words "of which", to strike out "\$18,000,000" and insert "\$16,000,000."

Mr. **McKELLAR**. Mr. President, at a subsequent meeting the committee voted to change the amount from \$16,000,000 to \$17,000,000. I therefore offer an amendment to the committee amendment, changing the amount from \$16,000,000 to \$17,000,000.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment offered by the Senator from Tennessee to the committee amendment on page 12, line 17.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the subhead "Office of Defense Transportation," on page 14, line 10, after the word "therefor", to strike out "\$18,000,000" and insert \$17,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "National War Labor Board", on page 14, line 18, after the word "exceed", to strike out "\$1,000,000" and insert "\$1,606,000", and in line 24, after the name "United States", to strike out "\$15,000,000" and insert "\$14,437,300".

The amendment was agreed to.

The next amendment was, under the subhead "Office of War Information", on page 19, line 21, after the word "than", to strike out "\$2,200,000" and insert "\$2,464,633"; in line 23, after the word "Director", to strike out the comma and "including book and magazine coordination sections" and insert a semicolon and "Book and Magazine Bureau; Foreign News Bureau"; and on page 20, line 2, after the word "exceeding", to strike "\$50,000" and insert "\$54,428".

The amendment was agreed to.

The next amendment was, on page 29, after line 19, to insert:

INDEPENDENT EXECUTIVE AGENCIES  
SELECTIVE SERVICE SYSTEM

Salaries and expenses, Selective Service System: For all expenses necessary for the operation and maintenance of the Selective Service System as authorized by the Selective Training and Service Act of 1940 (50 U. S. C., App. 301); including not to exceed \$400,000 for printing and binding; purchase, for replacement, of not to exceed 32 motor-propelled passenger-carrying vehicles; and, under such rules or regulations as may be prescribed by the Director of Selective Service, expenses of emergency medical care, including hospitalization, of registrants who suffer illness or injury, and the transportation, and burial, of the remains of registrants who suffer death, while acting under orders issued under the selective-service law but such burial expenses shall not exceed \$150 in any one case; \$61,500,000: *Provided*, That

such amounts as may be necessary shall be available for the planning, directing, and operation of a program of work of national importance under civilian direction, either independently or in cooperation with governmental or nongovernmental agencies, and the assignment and delivery thereto of individuals found to be conscientiously opposed to participation in work of the land or naval forces, which cooperation with other agencies may include the furnishing of funds to and acceptance of money, services, or other forms of assistance from such nongovernmental agencies for the more effectual accomplishment of the work; and for the pay and allowances of such individuals at rates not in excess of those paid to persons inducted into the Army under the Selective Service System, and such privileges as are accorded such inductees: *Provided further*, That the travel of persons engaged in the administration of the Selective Service System, including commissioned, warrant, or enlisted personnel of the Army, Navy, Marine Corps, or their reserve components, may be ordered by the Director or by such persons as he may authorize, and persons so traveling shall be entitled to transportation and subsistence or per diem in lieu of subsistence, at rates authorized by law: *Provided further*, That the Director of Selective Service, in prescribing per diem rates of allowances, not exceeding \$7, in lieu of subsistence for officers of the Army, Navy, and Marine Corps, and of the reserve components thereof, traveling on official business and away from their designated posts of duty, pursuant to the first paragraph of section 12 of the act approved June 16, 1942 (37 U. S. C. 112), is hereby authorized to prescribe such per diem rates of allowance, whether or not orders are given to such officers for travel to be performed repeatedly between two or more places in the same vicinity, and without regard to the length of time away from their designated posts of duty under such orders.

The amendment was agreed to.

The **PRESIDING OFFICER**. That completes the committee amendments.

Mr. **McKELLAR**. Mr. President, on behalf of the committee, I send to the desk two amendments and ask that they be stated.

The **PRESIDING OFFICER**. The first amendment offered by the Senator from Tennessee on behalf of the committee will be stated.

The **CHIEF CLERK**. On page 30, line 2, in the committee amendment, after the word "binding" it is proposed to insert "and not to exceed \$1,000,000 for expenditure through other Federal agencies, and through State agencies without regard to section 3648 of the Revised Statutes, for gathering of medical and social history information on registrants"; and on page 30, line 11, in the committee amendment, it is proposed to strike out "\$61,500,000" and insert "\$62,500,000."

The **PRESIDING OFFICER**. Without objection, the vote by which the committee amendment on page 29, after line 19, was agreed to, is reconsidered.

The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. **McKELLAR**] to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The **PRESIDING OFFICER**. The next amendment offered by the Senator

from Tennessee on behalf of the committee will be stated.

The **CHIEF CLERK**. On page 23, line 19, after the word "corporation", it is proposed to insert "including the salary of the Chairman of the Board at \$10,000 per annum."

The amendment was agreed to.

Mr. **BARKLEY**. Mr. President, since the amendments on page 14, in the section relating to the National War Labor Board, were agreed to, I have been handed a joint letter from the Secretary of War and the Secretary of the Navy with reference to the reduction in the appropriation for the War Labor Board. It seems that the House of Representatives reduced the amount of the appropriation for the War Labor Board, and that the Senate committee reduced it still further, by a little more than half a million dollars. I do not intend to offer an amendment at this moment. I ask that the vote by which the amendments on page 14, lines 18 and 24, were agreed to, be reconsidered, so that tomorrow, after getting the facts, if I wish to offer an amendment I may do so.

Mr. **McKELLAR**. Mr. President, will the Senator first read the letter?

Mr. **BARKLEY**. It is a joint letter from the Secretary of War and the Secretary of the Navy. It reads as follows:

WAR DEPARTMENT,  
Washington.

HON. ALBEN W. BARKLEY,  
United States Senate,  
Washington, D. C.

DEAR SENATOR BARKLEY: Because of the War and Navy Departments' strong interest in the work of the National War Labor Board, we are addressing this letter to you concerning the appropriation requested by the Board for the fiscal year 1945.

As you know, the effect of labor disputes on war production is a matter of deep concern to our departments. Industrial disputes have seriously threatened the production and distribution of items which are critically needed by the armed forces. The War Labor Board is the agency charged with the responsibility for the settlement of such disputes and its effective discharge of this responsibility is essential to the War and Navy Departments. Without its timely intervention, many difficult situations which have endangered war production in the past months could not have been solved. Moreover, it prevented the development of acute situations as well as settling them. In the absence of an effectively operating and adequately staffed War Labor Board in the coming year, the ability of the Army and Navy to procure materials vitally needed by its troops will be seriously jeopardized.

For these reasons, the War and Navy Departments are deeply concerned over the prospective inability of the War Labor Board to perform its important functions if it is forced to effect any reduction in personnel. Such a reduction is now threatened by the action of the House of Representatives and the Senate Appropriations Committee in reducing the appropriation requested by the Board for the fiscal year 1945. Its request merely provided for the maintenance of personnel at existing levels, but the House of Representatives and the Senate Appropriations Committee have taken action which would necessarily result in a substantial reduction in the Board's personnel. Even assuming that the present heavy work load of the Board does not increase, any such reduction would, in our opinion, make it impossible for the Board to keep up currently with



its work. There are indications that the volume of this work will increase in the coming year.

Under these circumstances, the War Department and Navy Department urge that you take steps to secure a restoration of the amounts which have been cut from the Budget estimate for the War Labor Board for the fiscal year 1945.

Sincerely yours,

HENRY L. STIMSON,  
Secretary of War.

JAMES FORRESTAL,  
Secretary of the Navy.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. RUSSELL. I do not recall any details of the hearings on the appropriation for this agency, but the amount which was allowed by the Senate amendment which has been approved is exactly the amount of the appropriation this agency had for the present fiscal year.

So, unless there has been an increase in the salaries of the personnel employed in that agency, it should be adequate to maintain the agency at its present level.

Mr. BARKLEY. Evidently the amount approved by the House is below the Budget estimate.

Mr. RUSSELL. Oh, yes; it is below the Budget estimate, but not below the amount the agency has had for the present year. We restored the amount to exactly the amount it has had this year. The Secretary of War and the Secretary of the Navy say that will cause a reduction of personnel. I should like to know how that could be, unless the Board has greatly increased the salaries of its employees during the year.

Mr. BARKLEY. I shall try to obtain that information by tomorrow, and I will ask that the vote on the committee amendment be reconsidered, if necessary, if I decide to offer an amendment to it.

Mr. RUSSELL. The Senator would have to ask to have the Senate reconsider its action on the bill, also.

Mr. BARKLEY. The amendment would be to the pending bill, not to the one just passed.

Mr. BILBO. Mr. President, I ask the majority leader, the Senator from Kentucky [Mr. BARKLEY], also to provide a break-down of the figure, so as to show how the money would be spent.

Mr. BARKLEY. I shall try to obtain all the information about it.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Kentucky?

Mr. McKELLAR. Mr. President, what is the request?

The PRESIDING OFFICER. The request is that the vote by which the amendment on page 14, under the heading "National War Labor Board," was agreed to, be reconsidered, so that the Senator from Kentucky may offer the amendment he desires to offer.

Mr. HOLMAN. Mr. President, reserving the right to object, let me say I am in favor of the bill as it is now written, before it is further amended. Will the Senator from Kentucky explain the parliamentary situation?

Mr. BARKLEY. The situation simply will be, if my request is granted, that the vote by which the Senate committee amendment was agreed to will be reconsidered, and the amendment will still remain as a committee amendment before the Senate. I merely wish to have an opportunity, if I find it desirable to do so after I obtain the facts, to offer an amendment to the committee amendment. If I do not offer an amendment to the committee amendment it will be adopted as it is.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. McKELLAR. Mr. President, on pages 2 and 3 there is a typographical error. As the bill now reads, the parenthesis begins after the word "hire", in line 22, page 2, and ends after the word "Statutes", in line 5, page 3. However, the parenthesis should end after the word "purchase", in line 23 on page 2. I ask that the correction be made.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

Mr. McKELLAR. Also, on page 3, in line 10, after the first word in that line, the word "not", the word "to" appears. That word should be stricken out, and I so request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McKELLAR. That completes the committee amendments, with the exception of those passed over.

#### EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, under the agreement previously entered into, the bill will go over until tomorrow. Therefore, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate messages from the President of the United States, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of committees were submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Rear Admiral William S. Pye, United States Navy, when retired on July 1, 1944, to be placed on the retired list with the rank of vice admiral, pursuant to an act of Congress approved June 16, 1942; and

The following named naval aviators of the Marine Corps Reserve to be second lieutenants in the Marine Corps, in accordance with the provisions of the Naval Aviation Personnel Act of 1940, as amended:

Richard E. Maulsby, from the 9th day of February 1942.

Alexander M. Hearn, from the 1st day of May 1942.

Frank H. Simonds, from the 18th day of July 1942.

Robert H. Barrow, a citizen of Louisiana, to be a second lieutenant in the Marine Corps from the 28th day of July 1943.

Earl F. Stanley, a citizen of Ohio, to be a second lieutenant in the Marine Corps from the 7th day of August 1943.

The below-named citizens to be second lieutenants in the Marine Corps from the 4th day of February 1944:

Grover C. Williams, Jr., a citizen of Virginia.

Gerald G. Kirby, a citizen of Florida.

Charles E. Walker, a citizen of Illinois.

Raoul J. Archambault, a citizen of Rhode Island.

By Mr. WHITE, from the Committee on Foreign Relations:

Executive D, Seventy-eighth Congress, second session, a protocol signed at London on February 7, 1944, for the United States of America, the Union of South Africa, the Commonwealth of Australia, the United Kingdom of Great Britain and Northern Ireland, Canada, New Zealand, and Norway, amending in certain particulars the international agreement for the regulation of whaling signed at London on June 8, 1937, as amended by the protocol signed at London on June 24, 1938 (Executive Rept. No. 2).

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

Mr. McKELLAR. I ask that the President be notified forthwith of the confirmation of the postmaster nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

That completes the calendar.

#### RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 45 minutes p. m.) the Senate took a recess until tomorrow, Friday, June 16, 1944, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate June 15 (legislative day of May 9), 1944:

##### THE JUDICIARY

##### UNITED STATES MARSHALS

Arthur D. Fairbanks, of Colorado, to be United States marshal for the District of Colorado. (Mr. Fairbanks is now serving in this office under an appointment which expired May 10, 1944.)

Bernard Fitch, of Connecticut, to be United States marshal for the District of Connecticut. (Mr. Fitch is now serving in this office under an appointment which expired May 16, 1944.)

Frank C. Blackford, of New York, to be United States marshal for the Western District of New York. (Mr. Blackford is now serving in this office under an appointment which expires June 24, 1944.)



# FELICITATIONS TO THE REPUBLIC OF ICELAND

Mr. CONNALLY. Mr. President, from the Committee on Foreign Relations I report back favorably, without amendment, Senate Concurrent Resolution 45, expressing the congratulations of the Congress of the United States to the Icelandic Althing on the attainment of independence by the Republic of Iceland. I ask that the resolution be placed on the calendar.

The ACTING PRESIDENT pro tempore. Without objection, the resolution will be placed on the calendar.

Mr. CONNALLY. Mr. President, I ask unanimous consent that House Concurrent Resolution 91, which is identical with Senate Resolution 45, be laid before the Senate.

The ACTING PRESIDENT pro tempore laid before the Senate the concurrent resolution (H. Con. Res. 91) which was read, as follows:

Whereas the people of Iceland in a free plebiscite on May 20-23, 1944, overwhelmingly approved the constitutional bill passed by the Althing providing for the establishment of a republican form of government; and

Whereas the Republic of Iceland will be formally established on June 17, 1944: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That the Congress hereby expresses to the Icelandic Althing, the oldest parliamentary body in the world, its congratulations on the establishment of the Republic of Iceland and its welcome to the Republic of Iceland as the newest republic in the family of free nations.*

Mr. CONNALLY. I ask unanimous consent for the present consideration of the concurrent resolution.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the concurrent resolution (H. Con. Res. 91) was considered and agreed to.

The preamble was agreed to.

Mr. CONNALLY. I ask unanimous consent that Senate Concurrent Resolution 45 be indefinitely postponed.

The ACTING PRESIDENT pro tempore. Without objection, Senate Concurrent Resolution 45 is indefinitely postponed.

## ENROLLED BILLS PRESENTED

Mr. TRUMAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that on June 14, 1944, that committee presented to the President of the United States the following enrolled bills:

S. 1767. An act to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; and

S. 1849. An act for the relief of Muskingum Watershed Conservancy District.

## BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER:

S. 1995. A bill for the relief of Fred A. Dimler and Gwendolyn E. Dimler, his wife; to the Committee on Claims.

By Mr. WALLGREN:

S. 1996. A bill to provide for a study of multiple taxation of air commerce, and for

other purposes; to the Committee on Commerce.

By Mr. THOMAS of Oklahoma:

S. 1997. A bill for the relief of Jack Stowers, B & O Store, and Cotton County Poultry & Egg Co. (with accompanying papers); to the Committee on Claims.

S. 1998. A bill to authorize and direct the sale of Moore Air Field; to the Committee on Naval Affairs.

S. 1999. A bill to amend section 2 of the act of June 14, 1918, so as to eliminate the necessity of joining the United States as a party in proceedings to partition lands of full-blood members of the Five Civilized Tribes; to the Committee on Indian Affairs.

By Mr. HOLMAN:

S. 2000. A bill to restore to active duty and to the active list certain retired officers of the Regular Army, and for other purposes; to the Committee on Military Affairs.

By Mr. WALSH of Massachusetts:

S. 2001. A bill to amend the act approved March 7, 1942 (56 Stat. 143), as amended (56 Stat. 1092; 50 App. U. S. C., Supp. III, 1001-17 inclusive), so as to more specifically provide for pay allotments, and administration pertaining to war casualties, and other purposes; to the Committee on Naval Affairs.

By Mr. HILL:

S. 2002. A bill for the relief of John T. Cooper; and

S. 2003. A bill for the relief of Thomas C. Locke; to the Committee on Claims.

By Mr. WAGNER:

S. 2004. A bill to amend the act entitled "An act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes," approved June 11, 1942; to the Committee on Banking and Currency.

By Mr. DOWNEY:

S. J. Res. 138. Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry on the Tule Lake division of the Klamath reclamation project; to the Committee on Public Lands and Surveys.

## HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, as indicated:

H. R. 4659. An act to authorize the Soil Conservation Service to lend certain equipment; to the Committee on Agriculture and Forestry.

H. R. 4881. An act to amend the Internal Revenue Code, the Narcotic Drugs Import and Export Act, as amended, and the Tariff Act of 1930, as amended, to classify a new synthetic drug, and for other purposes; to the Committee on Finance.

H. R. 3150. An act to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929;

H. R. 4867. An act to extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia;

H. R. 4916. An act to amend the act of June 19, 1934 (Public Law 435, 73d Cong.);

H. J. Res. 289. Joint resolution authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1945, and for other purposes;

H. J. Res. 290. Joint resolution for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1945; and

H. J. Res. 291. Joint resolution to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies;

to the Committee on the District of Columbia.

## AMENDMENT OF ACT PROVIDING FOR THE RETIREMENT OF CIVIL-SERVICE EMPLOYEES—AMENDMENTS

Mr. HOLMAN submitted two amendments intended to be proposed by him to the bill (S. 1371) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, which were ordered to lie on the table and to be printed.

## APPROPRIATIONS FOR WAR AGENCIES—AMENDMENTS

Mr. RUSSELL submitted an amendment intended to be proposed by him to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

Strike out all the matter appearing on page 10, between lines 3 to 16, inclusive, under the heading "Committee on Fair Employment Practice."

Mr. MAYBANK submitted two amendments intended to be proposed by him to House bill 4879, making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, which were ordered to lie on the table and to be printed, as follows:

On page 10, line 16, before the period insert a colon and the following: "Provided, That the committee shall not accept or utilize voluntary or uncompensated services."

On page 10, line 16, before the period insert a colon and the following: "Provided, That the committee shall not perform its functions or duties or exercise its powers through any officials or agencies other than those of the committee."

## NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS

Mr. VANDENBERG submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraphs 1 and 4 of rule XVI for the purpose of proposing to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, the following amendment, namely: On page 29, after line 19, insert the following:

### "COMMITTEE FOR CONGESTED PRODUCTION AREAS

"Salaries and expenses: For all expenses necessary to enable the Committee for Congested Production Areas to carry out the functions vested in it by Executive Order 9327, including travel expenses (not to exceed \$48,000); printing and binding (not to exceed \$2,550); purchase of newspapers and periodicals (not to exceed \$600); the employment of State, county, or municipal officials and employees, with or without compensation; and the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil service and classification laws (not to exceed \$15,000); \$669,000."

Mr. VANDENBERG also submitted an amendment intended to be proposed by him to House bill 4879, making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other



purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. DANAHER submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, the following amendment, namely: On page 10, after line 2, insert the following:

#### FINDINGS AND DECLARATION OF POLICY

SECTION 1. The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production and defense, and burdens, hinders, and obstructs commerce.

It is hereby declared to be the policy of the United States to eliminate such discrimination in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

#### UNFAIR EMPLOYMENT PRACTICES DEFINED

SEC. 2. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry;

(2) to discharge any person from employment because of such person's race, creed, color, national origin, or ancestry;

(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, or ancestry.

(b) It shall be an unfair employment practice for any labor union within the scope of this act—

To discriminate against any member, employer, or employee because of such person's race, creed, color, national origin, or ancestry.

(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act.

#### SCOPE OF ACT

SEC. 3. (a) This act shall apply to any employer having in his employ more than five persons, who is (1) engaged in interstate or foreign commerce; (2) under contract with the United States or any agency thereof; or (3) performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party.

(b) This act shall apply to any labor union which has five or more members in the employ of one or more employers covered by the preceding paragraph.

(c) This act shall apply to the employment practices in the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (e) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this act may petition the Attorney Gen-

eral of the United States for the enforcement of such order, and it shall thereupon be the duty of the Attorney General to take such measures as may secure obedience to any such order. Every official who willfully violates any such order shall be summarily discharged from the Government employ.

#### FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 4. For the purpose of preventing unfair employment practices on the part of employers and labor unions, there is hereby established a commission to be known as the Fair Employment Practice Commission, which shall consist of a chairman and six additional members to be appointed by the President, by and with the advice and consent of the Senate, who shall serve for a term of 7 years except that the terms of the members originally appointed shall expire seriatim at intervals of 1 year. Any member of the Commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Four members of the Commission shall at all times constitute a quorum.

#### REPORTS

SEC. 5. The Commission shall at the close of each fiscal year make a report in writing to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Commission, and an account of all moneys it has disbursed, and shall make such recommendations for further legislation as may appear desirable.

#### SALARIES

SEC. 6. Each member of the Commission shall receive a salary of \$10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

#### TERMINATION OF COMMITTEE ON FAIR EMPLOYMENT PRACTICE

SEC. 7. Upon the appointment of the members of the Commission, the Committee on Fair Employment Practice, established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said Committee shall be transferred to and become employees of the Commission. All records, papers, and property of the Committee shall pass into the possession of the Commission, and all unexpended funds and appropriations for the use and maintenance of the Committee shall be available to the Commission.

#### LOCATION OF OFFICES

SEC. 8. The Commission shall hold its sessions in the District of Columbia and at such other places as it may designate. The Commission may, by one or more of its members or by such referees, agents, or agencies as it may designate, prosecute any inquiry or conduct any hearing necessary to its functions in any part of the United States or any Territory or insular possession thereof.

#### PROHIBITION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 9. (a) Whenever it is charged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed, in the district of such person's residence not less than 7 nor more than 14 days after the serving of said complaint.

(b) The person so complained of shall have the right to file an answer to such

complaint and to appear in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

(c) If upon all the testimony taken the Commission shall be of the opinion that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair employment practice and to take such affirmative action, including hiring or reinstatement of employees with or without back pay, as will effectuate the policies of this act. If, upon all the testimony taken, the Commission shall be of the opinion that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

(d) The Commission shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) or, if all the circuit courts of appeals to which application might be made are in vacation, any district court of the United States, within any circuit or district, respectively, wherein the unfair employment practice in question occurred, or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon such filing, the court to which petition is made shall conduct further proceedings in conformity with the procedures established by law governing petitions for enforcement of the orders of the National Labor Relations Board.

(e) Any person aggrieved by a final order of the Commission granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) within any circuit wherein the unfair employment practice in question was alleged to have occurred or wherein such person resides or transacts business by filing in such court a written petition praying that the order of the Commission be modified or set aside. Upon such filing, the reviewing court shall conduct further proceedings in conformity with the procedures established by law governing petitions for review of the orders of the National Labor Relations Board.

#### INVESTIGATORY POWERS

SEC. 10. (a) For the purpose of all hearings and investigations which in the opinion of the Commission are necessary and proper for the exercise of the powers vested in it by this act, the Commission, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to subpoena the production of the books, records, or other evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the Commission shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Commission, its member, agent, or agency conducting the hearing or investigation. Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be re-



quired at any designated place of hearing in the district wherein the respondent resides or transacts business.

(b) In case of contumacy or refusal to obey a subpoena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpoena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

#### RULES AND REGULATIONS

SEC. 11. The Commission shall have authority from time to time to make, amend, and rescind such regulations as may be necessary to carry out the provisions of this act. Such regulations shall be effective 60 days after transmission to the Congress unless the Congress has in the interim amended or nullified such regulations by appropriate legislation or has adjourned within 10 days after the submission of such regulations. Such regulations shall set forth the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for rules of evidence to be applied by the Commission, for the taking of testimony and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process and fees of witnesses, and with respect to the seal of the Commission, which shall be judicially noticed, the payment of expenses of members and employees of the Commission, the qualification and disqualification of members and employees and any other matters appropriate in the execution of the provisions of this act.

#### GOVERNMENT CONTRACTS

SEC. 12. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

(b) Unless the Commission shall otherwise determine and state in its order, no contract shall be awarded by the United States or any agency thereof to any person found by the Commission to have violated any of the provisions of this act or to any firm, corporation, partnership, or association in which such person has a controlling interest, until 3 years have elapsed from the date when the Commission determines such violation to have occurred. The Comptroller General is authorized and directed to distribute a list

to all agencies of the United States containing the names of such persons.

#### OFFENSES AND PENALTIES

SEC. 13. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than one year, or both.

#### SEPARABILITY CLAUSE

SEC. 14. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

#### DEFINITIONS

SEC. 15. (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of any employer, directly or indirectly.

(3) The term "labor union" includes any organization in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning the terms or conditions of employment.

(4) Unless otherwise specified, the term "Commission" means the Fair Employment Practice Commission created by section 4 of this act.

(5) The term "Committee" means the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943.

(6) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia, or any Territory of the United States and any State or other Territory or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or Territory, or the District of Columbia or any foreign country.

SEC. 16. This act may be cited as the "Fair Employment Practice Act."

Mr. DANAHER also submitted an amendment intended to be proposed by him to House bill 4879, making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

#### INVESTIGATION OF THE ADMINISTRATION OF POSTAL AFFAIRS

Mr. REED (for himself and Mr. FERGUSON, Mr. MOORE, Mr. ROBERTSON, Mr. WEEKS, and Mr. BUCK) submitted the following resolution (S. Res. 310), which was referred to the Committee on Post Offices and Post Roads, as follows:

Whereas on March 9, 1942, the Postmaster General requested a change in existing law to "authorize the payment of overtime for Saturdays in lieu of compensatory time." In making that request, the Postmaster General further stated, "The amendment \* \* \* would not increase the cost of postal service to the Nation." The cost of this item for the fiscal year ending June 30, 1942, was \$10,396,420; and

Whereas in the fiscal year immediately following that of June 30, 1943, the expendi-

ture for this item was \$61,003,199. The expenditure for this item for the current fiscal year ending June 30, 1944, is stated as \$67,557,000, and the estimate for 1945 for this item is \$69,777,200; and

Whereas the records of the Post Office Department show that the First Assistant Postmaster General, in May 1943, and again in December 1943, admonished postmasters responsible for the recommendations on which these expenditures are based as follows: "From our study of the estimates and expenditures submitted by postmasters, it is concluded that there is a possibility that the use of overtime is being abused."; and

Whereas it is obvious on the face of the record and the information available that instead of there being "no increase in cost" as stated by the Postmaster General, and on which recommendation the Congress acted and amended the law as requested, the effect of the change has been an increase of some \$60,000,000 annually: Therefore be it

Resolved, That the Committee on Post Offices and Post Roads of the Senate be authorized and directed to make an investigation of the operation and administration of the Post Office Department, with particular reference to this question and the facts outlined herein. The Committee on Post Offices and Post Roads is also authorized and directed to broaden the inquiry so as to cover any relevant matters contained within the current administration of postal affairs and to make such a report with such recommendations as its inquiry and its investigation may determine to be advisable or necessary.

#### PLATFORM ISSUES—ARTICLES BY WENDELL WILLKIE

[Mr. HATCH asked and obtained leave to have printed in the Record two articles on platform issues written by Wendell Willkie, one under the heading "Social security," published in the Washington Post of June 14, 1944, and the other under the heading "Post-war economy," published in the Washington Post of June 15, 1944, which appear in the Appendix.]

#### KEYNOTE ADDRESS BY GOVERNOR COOPER, OF TENNESSEE, BEFORE STATE DEMOCRATIC CONVENTION

[Mr. McKELLAR asked and obtained leave to have printed in the Record the address delivered by Hon. Prentice Cooper, Governor of Tennessee, on June 6, 1944, before the Democratic State convention, which appears in the Appendix.]

#### ADDRESS BY HON. HOMER CUMMINGS BEFORE CONNECTICUT STATE DEMOCRATIC CONVENTION

[Mr. MALONEY asked and obtained leave to have printed in the Record the address delivered by Hon. Homer Cummings, former United States Attorney General, at the Democratic State convention held at New Haven, Conn., on May 26, 1944, which appears in the Appendix.]

#### UNITED STATES COAST GUARD—EDITORIAL FROM THE WASHINGTON POST

[Mr. MALONEY asked and obtained leave to have printed in the Record an editorial entitled "Coast Guard," from the Washington Post of June 14, 1944, which will appear hereafter in the Appendix.]

#### MR. FARLEY'S RESIGNATION—EDITORIAL FROM HARTFORD (CONN.) DAILY COURANT

[Mr. MALONEY asked and obtained leave to have printed in the Record an editorial entitled "Mr. Farley's Resignation," published in the Hartford Daily Courant of June 9, 1944, which appears in the Appendix.]



# NEW YORK SOLDIERS MAY BE DISFRANCHISED—EDITORIAL FROM THE BUFFALO STAR

[Mr. MEAD asked and obtained leave to have printed in the RECORD an editorial entitled "New York Soldiers May Be Disfranchised," published in the Buffalo Star, which appears in the Appendix.]

## CONGRESSIONAL POWER TO VOID POLL TAX—LETTER FROM IRVING BRANT

[Mr. MEAD asked and obtained leave to have printed in the RECORD a letter on the subject of the power of Congress to void the poll tax, written by Irving Brant to the New York Times, which appears in the Appendix.]

## WHERE CONSTITUTIONAL POWER TRULY RESTS—LETTER FROM THE NEW YORK SUN

[Mr. DANAHER asked and obtained leave to have printed in the RECORD a letter entitled "Where Constitutional Power Truly Rests" from the New York Sun of Saturday, June 3, 1944, which appears in the Appendix.]

## TIMID PLANNING—EDITORIAL FROM CHICAGO SUN

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an editorial entitled "Timid Planning Can Botch the Job" from the Chicago Sun of May 24, 1944, which appears in the Appendix.]

## INCREASE OF WAGES OF WHITE-COLLAR WORKERS

Mr. WILEY. Mr. President, I notice that the other day the House of Representatives refused to adopt my amendment which the Senate had previously adopted to the O. P. A. extension law. The amendment provided in substance that when the employer and employee could agree it would not be necessary to obtain the authority of Government to sanction the agreement if the wage scale agreed upon did not exceed \$37.50 a week.

I was informed that from the fox holes on the home front and from the bureau drawers of all the bureaucracy in the city pressure was brought to bear, the House responded, and as a result the amendment went out of the bill. I hope the distinguished senior Senator from New York [Mr. WAGNER], when the conferees meet, will see to it that my amendment remains in the bill.

My purpose in taking the floor this morning is to urge that the conferees, whoever they may be, will insist on doing equity to this group, the white-collar workers, by keeping my amendment in the bill. While organized labor has increased its weekly earnings more than 69 percent in the past 5 years, it appears that the clerical and semiprofessional white-collar worker has received an increase so meager that it does not offset the increased cost of living. The fact of the matter is that the unorganized groups are virtually subsidizing the workers of the organized groups. They are paying a penalty for their specialized skill and knowledge and in many instances their higher education.

What I am asking for in the amendment is a better balance of income for all our citizens. What chance has Mary Jones the school teacher, or Pete Smith the bookkeeper, or Carl Brown the clerk, or Susie Brown, his sister, who is employed in a city, county, or municipal

office to receive prompt attention to her or his individual problem? There is a lack of balance in the income the white-collar worker has been getting compared to what other classes have received. I am serious about the situation of the white-collar worker; and following the language of him who speaks at the other end of the Avenue, I will repeat again and again and again that we had better do a little equity to the 20,000,000 of these folks. The men and women in the white-collar class have no one to represent them in Washington; they have no organization back of them; they are the "forgotten men." I ask that we do justice to this group. Here is what I said about the white-collar worker months ago:

Fellow Americans, what has happened to that phantom figure, the "forgotten man," society's specter of neglect for the past 11 years and some months? He is still with us, but as a new group, the white-collar worker. Forgotten? He is, indeed. Recalled to our attention some months ago, with great sympathy, by the President in his veto message on the Commodity Credit Corporation subsidies bill, again he is in limbo.

To my mind, we no longer can call him the "forgotten man." He has been disinherited, abandoned. Ye have cast him aside. This group constitutes one of the greatest sections of our consuming purchasing public. Fifteen million heads of families are involved, but to this moment none of them, or at least a very few, have found any, or but little, increase in the weekly pay envelope.

Since they are clerical, white-collar, and unorganized employees, they are unable to take advantage of the National War Labor Board's good offices. They are victims of prosperity, unable to compete as individuals for the better things of life or to voice their demands as a group. They are penalized for their own individuality, and we are allowing a growing problem to get beyond control.

This group is slowly being forced to write its living standard downward, and in the meantime they are being forced into debt to maintain even their present standard, while their laboring brother climbs higher and higher, day by day, into the brackets of high incomes and proportionately higher living.

What we do not realize is that it is not alone the white-collar classes which will suffer. We reduce their purchasing power and what happens? Obviously, labor is affected; agriculture, industry, commerce are affected. Everyone, including Government, is eventually affected.

Whatever our plan, our post-war economic security depends upon immediate action. The problem of the "forgotten man" cannot be solved by forgetting it. No one is to profit if this great important group in our economic fabric is to be ignored, resulting in a very low standard of living, or else a greatly increased individual debt. Billions of dollars in savings and war surpluses will be of no value if we are to destroy one of our greatest purchasing markets or destroy within them their self-respect as a class because they cannot hold their heads high with their fellow citizens—the laborer, the farmer, and the industrial worker.

The square thing—the fair thing—to do is to permit the white-collar worker to get reasonable compensation for his labor.

My thought is that when these folks who have not been getting anything out of this war wake up and realize who it is that is stopping them from getting justice, what party it is that is stopping them from getting equity, they will exercise their right of franchise next fall

and speak with clarity and definiteness. It was a solid administration phalanx that stopped my amendment in the House.

I know it is said if the wages of the white-collar workers were to be increased to \$37.50 a week, it would be a great contributing factor toward inflation. Let us see about that. It has been estimated that in probably 10,000,000 cases the employer and the employee might agree that wages should go up to \$37.50 a week, representing perhaps an increase of \$5 a week, or approximately \$250 a year for each individual. That would make an increase of \$2,500,000,000 in the pockets of those who have been denied a living wage and who have seen their living standards go down, down, and down because Congress has not seen fit to recognize them. I repeat, they have no organization; they have no organized spokesmen. They are the clerks, the school teachers, and the municipal employees. They are the folks who are doing the work without getting the gravy. They are that class of American citizens who have always been the bulwark of America. Two billion five hundred million dollars in their pockets, which would increase their standard of living, would not contribute in the slightest to inflation.

Mr. President, I repeat, I trust that the conferees, when they go to conference on this matter, will, for the sake of the people who deserve it the most, see to it that the amendment to which the Senate agreed remains in the bill.

## CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Gillette	Reed
Austin	Guffey	Revercomb
Ball	Gurney	Reynolds
Bankhead	Hatch	Robertson
Barkley	Hawkes	Russell
Bilbo	Hill	Shipstead
Brewster	Holman	Stewart
Bridges	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Lucas	Truman
Butler	McClellan	Tunnell
Byrd	McFarland	Tydings
Capper	McKellar	Vandenberg
Chavez	Maloney	Wagner
Connally	Maybank	Wallgren
Cordon	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Weeks
Downey	Murdock	Wherry
Eastland	Murray	White
Ellender	O'Mahoney	Wiley
Ferguson	Overton	Willis
George	Pepper	
Gerry	Radcliffe	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], and the Senator from Wyoming [Mr. O'MAHONEY] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Ken-







rendered powerless and the life- and fire-insurance business and the millions of policyholders are to be regulated by the New Deal bureaucracy.

For a long time it has been evident that there was a desire on the part of the New Dealers to bring the insurance business under the domination of the Federal Government in order that the control of the large funds involved might be put at the disposal of the bureaucracy. The opening of this latest avenue of the destruction of State rights, in my opinion, portends the most far-reaching step in all of the history of the New Deal.

#### TAXATION

Over and above all this driving effort to destroy the constitutional rights of the States and render them vassals of a super-New Deal Government is the almost unbearable burden of taxation, a burden that has steadily grown year by year for the past 11 consecutive years, a burden that is so great that it is destroying the profit incentive of our people. The present rate of income and excess-profits tax in some cases amounts to confiscation. The excess-profits tax is encouraging some of our corporate enterprises to engage in foolish and unprofitable investments on the grounds that the Government is in fact paying for such foolish and imprudent expenditures if the taxable income is reduced. Such unsound course is depriving the Government of a large legitimate tax upon the wealth and income of our country, and will in the end defeat our ability to repay the staggering national debt under which we labor, and will eventually deprive us of the ability to continue to pay the operating cost of government.

It is, of course, realized that to a large degree the national debt stems from the war, but long before the currents of war were running, the New Deal Government had launched itself upon a financial program that was destined for certain disaster. Federal expenditures rose from less than four billion in 1933 to over eight billion in 1937, or about 110 percent. Over the same period the national debt jumped from twenty-two and one-half billion to nearly thirty-six and one-half billion, or an increase of 60 percent. In this 4-year period tax collections on incomes increased from \$746,000,000 to over two billion, or approximately 200 percent, while the national income increased only about 70 percent.

It is indeed a sorry spectacle to which the third administration of the New Deal has brought us. It is a discouraging travesty upon history that the American people are being asked to continue the New Deal government for a fourth term. It is disheartening to witness an administration that uses the war for political position, when the simple statement of the leader of that administration that he would not be a candidate for reelection to office would unify the unlimited strength of this great Nation for final and complete victory in this awful war. But I have confidence in the integrity and intelligence of our people to throw off the yoke of regimentation and to return to constitutional government—the greatest blueprint ever devised for self-

government. The native genius of our people and the mass productive powers of our country, if and when given the freedom of action and self-government contemplated by the Constitution, can and will survive this dark page of history.

Mr. MALONEY subsequently said: Mr. President, I am prompted, largely by the speech of the able Senator from Oklahoma [Mr. MOORE] to read into the Record at this point a newspaper item which I think is of special interest, and which is very pleasing to me, and I believe also to the people of my State. It is an Associated Press article which appeared in the newspapers of June 11. It is dated at Springfield, Mass., and reads as follows:

#### SPRINGFIELD CLUB GIVES AWARD TO CHESTER BOWLES

SPRINGFIELD, MASS., June 10.—The Springfield Advertising Club has bestowed on Price Administrator Chester Bowles its William Pynchon award, presented to a Springfield native who has performed outstanding service.

The citation accompanying the award said in part that the organization believed "that the great majority of the American people feel that he has done a good job courageously and efficiently."

The award was made by the William Pynchon trustees and accepted in the absence of Bowles by his cousin, Richard Hooker, publisher of the Springfield Republican.

I should like to add—and only because of the statement of the Senator from Oklahoma—that I think this expresses the sentiment of an overwhelming majority of the American people.

#### THE LANDING IN FRANCE

Mr. DAVIS. Mr. President, since the morning of D-day, when the Allied soldiers stormed ashore on the seacoast of Normandy, there to wrest a beachhead from the Nazi defenders, we in America have received much news. But, it has not been the down-to-earth, eyewitness type of description which is the only type of news that can even begin to convey to us the terrific ordeal which our men underwent in order that the liberation of Europe might be realized.

There is one American correspondent who has traveled with our troops across Africa, through Sicily, and into Italy. He is now stationed with our troops on the beachhead in France. His writings, more than the writings of any other man, have served to bring home to us the real import of this war and the real suffering and hardship which our boys must undergo and are undergoing before victory may be attained.

I speak now of Ernie Pyle, whose daily column appears in many newspapers throughout the land, and whose factual, down-to-earth, descriptive writings serve to impress us fully with the bitter carnage that is war.

In today's Washington News, on the front page, in bold type, Pyle's column is entitled "This Is the Way It Was." In that column, for the first time to my knowledge, is described the bitter, almost incredible destruction which took place during the early landings on the coast of France.

Mr. President, every man and woman in America should read that column.

Then he or she should ask the Almighty to watch over our boys, for truly they are engulfed in a living hell, the like of which we at home cannot imagine.

Mr. President, I ask unanimous consent to have printed in the Record as a part of my remarks this article by Ernie Pyle, as a tribute to the courage, tenacity, and skill of our fighting men, and as a reminder to all of us here at home that we can never begin to approach the standards of service and sacrifice of those who now carry on the fight on the far-flung battle fronts of the world.

There being no objection, the article was ordered to be printed in the Record, as follows:

#### THIS IS THE WAY IT WAS

(By Ernie Pyle)

NORMANDY BEACHHEAD, D-DAY PLUS TWO.—I took a walk along the historic coast of Normandy in the country of France.

It was a lovely day for strolling along the seashore. Men were sleeping on the sand, some of them sleeping forever. Men were floating in the water, but they didn't know they were in the water, for they were dead.

The water was full of squishy little jellyfish about the size of your hand. Millions of them. In the center each of them had a green design exactly like a four-leaf clover. The good-luck emblem. Sure. Hell, yes.

I walked for a mile and a half along the water's edge of our many-miled invasion beach. You wanted to walk slowly, for the detail on that beach was infinite.

The wreckage was vast and startling. The awful waste and destruction of war, even aside from the loss of human life, has always been one of its outstanding features to those who are in it. Anything and everything is expendable. And we did expend on our beachhead in Normandy during those first few hours.

For a mile out from the beach there were scores of tanks and trucks and boats that you could no longer see, for they were at the bottom of the water—swamped by overloading or hit by shells or sunk by mines. Most of their crews were lost.

You could see trucks tipped half over and swamped. You could see partly sunken barges and the angled-up corners of jeeps and small landing craft half submerged. And at low tide you could still see those vicious six-pronged iron snares that helped snag and wreck them.

On the beach itself, high and dry, were all kinds of wrecked vehicles. There were tanks that had only just made the beach before being knocked out. There were jeeps that had burned to a dull gray. There were big derricks on caterpillar treads that didn't quite make it. There were half-tracks carrying office equipment that had been made into a shambles by a single shell hit, their interiors still holding their useless equipment of smashed typewriters, telephones, office files.

There were LCTs turned completely upside down, and lying on their backs, and how they got that way I don't know. There were boats stacked on top of each other, their sides caved in, their suspension doors knocked off.

In this shore-line museum of carnage there were abandoned rolls of barbed wire and smashed bulldozers and big stacks of thrown-away life belts and piles of shells still waiting to be moved.

In the water floated empty life rafts and soldiers' packs and ration boxes, and mysterious oranges.

On the beach lay snarled rolls of telephone wire and big rolls of steel matting and stacks of broken, rusting rifles.



On the beach lay, expended, sufficient men and mechanism for a small war. They were gone forever now. And yet we could afford it.

We could afford it because we were on, we had our toehold, and behind us there were such enormous replacements for this wreckage on the beach that you could hardly conceive of their sum total. Men and equipment were flowing from England in such a gigantic stream that it made the waste on the beachhead seem like nothing at all, really nothing at all.

A few hundred yards back on the beach is a high bluff. Up there we had a tent hospital and a barbed-wire enclosure for prisoners of war. From up there you could see far up and down the beach, in a spectacular crow's-nest view, and far out to sea.

And standing out there on the water beyond all this wreckage was the greatest armada man has ever seen. You simply could not believe the gigantic collection of ships that lay out there waiting to unload.

Looking from the bluff, it lay thick and clear to the far horizon of the sea and on beyond, and it spread out to the sides and was miles wide. Its utter enormity would move the hardest man.

As I stood up there I noticed a group of freshly taken German prisoners standing nearby. They had not yet been put in the prison cage. They were just standing there, a couple of doughboys leisurely guarding them with Tommy guns.

The prisoners, too, were looking out to sea—the same bit of sea that for months and years had been so safely empty before their gaze. Now they stood staring almost as if in a trance.

They didn't say a word to each other. They didn't need to. The expression on their faces was something forever unforgettable. In it was the final horrified acceptance of their doom.

If only all Germany could have had the rich experience of standing on the bluff and looking out across the water and seeing what their compatriots saw.

#### WAR BOND SALE AND DANCE UNDER AUSPICES OF CAPITOL PAGES

Mr. STEWART. Mr. President, I desire to call attention at this time to the fact that on the 19th of June the pages of the Senate and the House of Representatives will conduct another War bond and War stamp sale and dance in the new ballroom of the Shoreham Hotel. I take pleasure in making this statement, for the reason that the youngsters both on this side of the Capitol and on the other side have been lending their energies to the drive to sell War bonds and War stamps. Once before they gave a similar dance at the Shoreham Hotel. In that drive they sold several thousand dollars' worth of War bonds.

Members of the Senate on both sides of the aisle have an interest in the activities of the pages. These youngsters—I say "youngsters," although in the main they are boys of the ages of approximately 12 or 14 years, and some are a little older—constitute a group of young men of whom both Houses of Congress and the whole Nation, as a matter of fact, may well be proud.

This act on their part is a patriotic one. I think we would do well to lend whatever assistance we can to aid and encourage them in their efforts in this respect.

We have seen a number of the youngsters from this Chamber enter the armed forces during the past 2 or 3 years since the war started. We have seen, and I myself have seen in the 5 or 6 years I

have been here, boys who came here as little fellows in knee pants, boys who then were approximately 12, 13, or 14 years of age, or at about that tender period of life, become old enough to be equipped with guns and join the American Army. Many of them, boys who were here even a short 2 or 3 years ago serving us in this Chamber, are now in the armed forces.

The younger ones, who because of their tender years are not yet able to join the armed forces, are making this contribution as a patriotic endeavor to help as much as they can in the war effort. I commend them for it. I hope it will be possible for the Members of the Senate not only to attend the dance which this group of youngsters is giving, but to do other things which come our way, so as to give them encouragement in their patriotic endeavor.

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). The clerk will state the first committee amendment passed over.

The LEGISLATIVE CLERK. On page 10, line 5, after the word "out", it is proposed to strike out "the" and insert "any."

Mr. MEAD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Pepper
Austin	Gillette	Radcliffe
Ball	Gurney	Reed
Bankhead	Hatch	Revercomb
Barkley	Hawkes	Reynolds
Bilbo	Hill	Robertson
Brewster	Holman	Russell
Bridges	Johnson, Colo.	Shipstead
Buck	Kilgore	Stewart
Burton	La Follette	Taft
Bushfield	Lucas	Thomas, Idaho
Butler	McClellan	Thomas, Okla.
Byrd	McFarland	Thomas, Utah
Capper	McKellar	Truman
Chavez	Maloney	Tunnell
Connally	Maybank	Vandenberg
Cordon	Mead	Wagner
Danaher	Millikin	Wallgren
Davis	Moore	Walsh, N. J.
Downey	Murdock	Weeks
Eastland	Murray	Wherry
Ellender	O'Daniel	White
Ferguson	O'Mahoney	Wiley
George	Overton	Willis

The PRESIDING OFFICER. Seventy-two Senators have answered to their names. A quorum is present.

#### APPROPRIATIONS FOR CIVIL FUNCTIONS ADMINISTERED BY THE WAR DEPARTMENT—CONFERENCE REPORT

Mr. THOMAS of Oklahoma submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 4.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 5, 6, 7, 8, and 9.

ELMER THOMAS,  
CARL HAYDEN,  
JOHN H. OVERTON,  
RICHARD B. RUSSELL,  
CHAN GURNEY,  
C. WAYLAND BROOKS,

*Managers on the part of the Senate.*

J. BUELL SNYDER,  
JOHN H. KERR,  
GEORGE MAHON,  
D. LANE POWERS,  
ALBERT J. ENGEL,  
FRANCIS CASE,

*Managers on the part of the House.*

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent for the present consideration of the conference report.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. WHITE. Mr. President, my attention was distracted. To what does the conference report relate?

Mr. THOMAS of Oklahoma. It is a conference report on the bill making appropriations for the civil functions of the War Department. It is a partial report. The conferees have come to an agreement on a few amendments, and there are some amendments still in disagreement. I am asking for the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4183, which was read as follows:

IN THE HOUSE OF  
REPRESENTATIVES, U. S.,  
June 15, 1944.

*Resolved*, That the House recede from its disagreement to the amendments of the Senate Nos. 2 and 6 to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes, and concur therein; and

That the House insist upon its disagreement to the amendments of the Senate Nos. 1, 3, 5, 7, 8, and 9 to said bill.

Mr. THOMAS of Oklahoma. Mr. President, I move that the Senate further insist on its amendments numbered 1, 3, 5, 7, 8, and 9, request a further conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate at the further conference.

The motion was agreed to; and the Presiding Officer appointed Mr. THOMAS of Oklahoma, Mr. HAYDEN, Mr. OVERTON, Mr. RUSSELL, Mr. BAILEY, Mr. REYNOLDS, Mr. BRIDGES, Mr. GURNEY, and Mr. BROOKS conferees on the part of the Senate at the further conference.



## APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 10, line 5.

Mr. RUSSELL. What is the amendment, Mr. President?

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 10, line 5, after the word "out", it is proposed to strike out the word "the" and insert "any."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. RUSSELL. Mr. President, I do not intend to object to the amendment. However, I wish to point out to the Senate that these amendments, to my mind, are absolutely futile and of no effect. When I suggested in the Appropriations Committee that the action of the committee in approving this appropriation and, therefore, giving recognition to an agency which was the creature of an Executive order and which had proceeded to exercise powers which can be conferred only by legislative action, the committee sought to throw a cloak around any violation of constitutional procedure by making it appear that it appropriated only for any functions lawfully vested in this agency by the Executive order. Of course, the words are absolutely meaningless. The Committee on Fair Employment Practice has already adopted a method of procedure, it has already enunciated lengthy rules and regulations, it has defined the limits of its own powers, it has assumed to cite employers and organizations and labor unions of employees before it, and it has abrogated existing contracts between employers and employees. It has assumed the right to impose sanctions upon employers by withholding from such employers Government contracts. The words proposed to be inserted are nothing more than a pious hope that the committee will abandon the policy it has already adopted, and which it has asserted it intends to continue to pursue. Instead of saying it is a pious hope, perhaps I should have said it is merely a pious fraud, and affords some protection to Members of Congress who intend to vote for this item while holding their noses. When the committee asserts all these powers over an employer, they will be able to say, "Well, I voted for an amendment to confine it to the law."

It is nothing more than a fraud, and will be readily recognized as such, because the Committee on Fair Employment Practice has already outlined its procedure and defined its rules and the extent of its powers. The amendment will not limit its functions in any way whatsoever.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 10, line 5, striking out the word "the" and inserting "any."

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, on page 10, line 5, after the word "functions", to insert "lawfully."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, on page 10, line 8, to strike out the figures "\$10,000" and insert "\$8,000."

The amendment was agreed to.

Mr. RUSSELL. Mr. President, I desire to call up the amendment which yesterday, at my request, was ordered to lie on the table and to be printed.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 10, it is proposed to strike out all the matter appearing on that page between lines 3 to 16, inclusive, under the heading "Committee on Fair Employment Practice."

Mr. RUSSELL. Mr. President, in my opinion, the action of the Senate on this amendment will be as significant and as far reaching in its consequences as any vote which is likely to be taken in this body for a long time. I hope the amendment may be decided strictly on the merits of the issue involved. I trust that all members of the Senate will examine this question without prejudice. I earnestly pray that we may reach a decision on the basis of proper constitutional procedure, rather than of political expediency.

Not a great deal of money is involved in this amendment; only \$500,000 is involved, and that is a small sum of money, as appropriations go today. But the question here involved goes to the very fundamentals of a republican form of government.

Today the American people are concerned—and they have reason for their concern—over the present trend toward a stronger centralized bureaucratic government in Washington. It has been necessary for us to delegate vast powers to the President of the United States in order to enable us to carry on the war. No one objects to the creation of agencies to implement those powers. It is expected that those powers will be recapitulated by the people and by their representatives after the war has come to an end. But the question of the application of war powers is not involved in the pending amendment, as it is not involved in some other agencies which have been created by Executive proclamation.

The people have been critical of the Congress because of the assumption of powers by bureaucratic agencies which were not delegated to them. Members of Congress have stated time after time that the powers which the agencies have sought to exercise were not involved in legislation which Congress had enacted.

The method of administration of some of these powers has been irritating to the people. Many Members of Congress have

complained against the tendency of the executive branch of the Government to encroach upon the constitutional powers of Congress. Fears have been expressed that the tripartite division of powers contemplated by the founding fathers with reference to the executive, the legislative, and the judicial branches of the Government was gradually being eliminated and that a large part of all powers affecting the rights, liberties, and means of livelihood of 135,000,000 people were gradually being centralized and concentrated in the executive. No person who is interested in maintaining the powers of the Congress could fail to be concerned with the authority which is being asserted by the boards, bureaus, and agencies which have been created by fiat or by proclamation. Many of those agencies were created without reference to the war effort, and were vested with broad powers without the approval of Congress ever having been given. The creation of some agencies has been necessary for the conduct of the war, but some of the powers which have been assumed by the war agencies were never contemplated by the Members of the Congress and were never enacted into law.

Mr. President, I am a Democrat. I am proud of the achievements of my party. Nevertheless I have never believed that the President of the United States was vested with one scintilla of authority to create by an Executive order an action agency of Government without the approval of the Congress of the United States. I would hold that belief were the President a Republican or a Democrat, because the idea of an action agency being created by the proclamation of one man, an agency which can go into the business of the American people and affect them in their daily lives and in their homes—as I say, the idea of such an agency being created by one man, whatever his position may be, is to me entirely repugnant and inconsistent with the whole philosophy of a democracy, a republican or any other representative form of government.

Mr. President, to combat the tendency to create action agencies by Executive order is no new move on my part. For several years I have endeavored by amendments to appropriation bills to confine the powers of agencies created by Executive orders to the functions which have been delegated to the executive branch of the Government by the Congress. I have known of no other way in which to reach those children of the executive branch of the Government. I know no way in which to do it except by the exercise of the power of the purse. I sometimes believe that the power of the purse is about the only power which still remains in the Congress of the United States.

I have offered amendments to curtail the agencies which have been created by Executive order, and for which Congress has denied appropriations. Agencies have been created which the Congress never recognized, but for which Budget estimates were submitted. Congress refused to appropriate, and yet, by an allocation of funds from some other ap-



appropriation, those agencies were kept in existence. Three years ago I offered an amendment of the kind to which I have just referred. Senators are familiar with the amendment which I offered to the recent independent offices appropriation bill, an amendment which has been agreed to by both branches of the Congress. The amendment would require each of the executive agencies to come to Congress for an appropriation if its personnel were to receive any funds from the Public Treasury.

Mr. President, the amendment which we are asked to ratify by placing upon it our seal of approval, involves an agency which was created by an Executive order. The powers this agency asserts cannot be defined by a single Member of the Senate.

This appropriation for the Committee on Fair Employment Practice provides the acid test of the sincerity of the pledges and assurances which were given by the Members of this body of their intent to restore and recapture the powers of the Congress to legislate. We shall never have before us a cleaner and more clear-cut issue between a government of law and a government by men. I use the words "acid test" advisedly, because I am well aware of the forces which are supporting this creature of an Executive order, and demanding that the requested appropriation be approved.

I recognize that if political expediency is to dictate the action to be taken here, it will be very difficult to vote against the appropriation. It has the wholehearted support of the Congress of Industrial Organizations and its political action committee. In fact, my investigation of the committee has almost caused me to conclude that it is but an adjunct of the C. I. O. It has the support of other powerful minorities in this country of whom some people stand in fear because in some States those minorities are supposed to hold the balance of political power.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHERRY. Mr. President, the Senator is about to leave the point which he has made concerning the creation of various Government agencies by Executive order rather than by law. I should like to ask him if he is basing his objection to the agencies on the ground that no substantive law has been established to create those agencies. Is that his point?

Mr. RUSSELL. That is my substantial objection.

Mr. WHERRY. Am I to understand that if Congress approves the appropriation requested in this bill the Senator will feel that such action on the part of the Senate will be a sanction and approval of the agency under discussion, whether established by substantive law or not?

Mr. RUSSELL. During the course of my remarks I shall undertake to show the nature of the agency which we are asked to approve, and explain some of the rights and powers which it has asserted. I shall also try to explain some of the fields in which the agency has been operating. The approval of this

appropriation will be an endorsement of all acts of this so-called F. E. P. C.

Mr. WHERRY. I thank the Senator. I shall wait until the Senator does so, but in the meantime I wished to bring to his attention the point I raised concerning his attitude toward the creation of agencies by Executive order.

Mr. RUSSELL. During the course of my remarks I shall refer to the creation of an action agency of the Government by Executive order. The issue is one about which I have consistently implored Congress to assert its power by discontinuing the practice of creating action agencies by Executive order by denying appropriations for their support.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MURDOCK. Does the Senator take the position that the Committee on Fair Employment Practice is acting without any legal sanction, and that its actions are in violation of law?

Mr. RUSSELL. I most assuredly take that position, and stand squarely upon it.

Mr. MURDOCK. In other words, that the Congress has never authorized the President by any law it has passed to create such an agency. Is that the Senator's position?

Mr. RUSSELL. I should like to have the Senator cite me to any statute authorizing the creation of this agency.

Mr. MURDOCK. I am merely asking for information, and this question occurs to me: If the Senator's position is correct that there is no law under which this Committee could be appointed, what has happened at the General Accounting Office? Why is it that money which is being paid for the operations of the Committee is not held up by the General Accounting Office?

Mr. RUSSELL. If the Senator will permit me to proceed, I shall show to the Senate that the Comptroller General of the United States, an agency and an official who is supposed to represent the Congress of the United States to see that all expenditures made are lawful, has ruled that this agency does not have the powers it claims, but his ruling was overridden by a letter written by the President of the United States.

Mr. MURDOCK. Will the Senator yield for one more question?

Mr. RUSSELL. Yes; I yield to the Senator from Utah.

Mr. MURDOCK. I do not want the Senator to get the idea that I am at all critical of his position; I am asking for my information exclusively; but the question occurred to me that if there is no lawful authority for this committee certainly the Congress should be protected through the instrumentality it has created, which is the General Accounting Office. I hope the Senator will touch on that.

Mr. RUSSELL. I shall be happy to read the ruling of the Comptroller General that the President's order creating this board was only directive and not mandatory, whereupon the President of the United States addressed a letter to the Attorney General which, while it was couched in very polite language, said, in effect, that the Comptroller General did

not know what he was talking about, had no rights in the matter, that the President's order to the Government departments was mandatory, and the ruling of the Comptroller General should be overruled. I shall reach that subsequently in my remarks.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. The Senator says, as I understand, that he expects to reach in a few moments during the course of his remarks the question of the ruling of the Comptroller General. I should like to ask the Senator if he also intends to touch upon the violation of law, not only by the payment of salaries but the violation by those on the committee themselves, as they admitted in their testimony, in the case of a Dallas, Tex., newspaper, when they cited an individual in Dallas and then admitted that they did not have the right to do it. Am I correct about that?

Mr. RUSSELL. This agency has operated in a very nebulous field and has assumed that it had any necessary powers in each individual case. The agency assumed that it could tell a newspaper, though it had no statutory standing in law but was a creature of the Executive to cease advertising of a certain kind. The case arose out of an advertisement for a colored man in the folding room of the Dallas News. Then, this agency, through its regional officer, issued a citation forbidding the Dallas News from stating in advertisements whether a person who was desired for employment was white or colored. The newspaper of course defied them. An issue was made in that case by the Dallas News, and other great newspapers of the country, apprehensive lest the freedom of the press would be abridged by this creature of Executive order, rallied to the support of the Dallas News. The F. E. P. C., which is very fluid in its operations, pressing when it feels it can win and retreating when it feels it will lose, closed the matter by saying that the regional director had exceeded his authority in citing the newspaper.

Mr. MAYBANK. Mr. President—

Mr. RUSSELL. I hope the Senator will permit me to proceed for a few minutes.

Mr. MAYBANK. Very well, I shall not interrupt the Senator.

Mr. RUSSELL. Mr. President, I have said this agency has political appeal, but, divested of that political appeal and considered naked and on its merits by the Congress, it is a perfect example of government by men in absolute derogation of law and without the slightest sanction of law. The very name, the Committee on Fair Employment Practice, does not appear in any act of Congress, and I defy any Senator to show an act, other than that which the Senate is now asked to approve, that even mentions the Committee on Fair Employment Practice. The almost limited powers which this agency has assumed have never been defined by the Congress. Its rules and regulations and its methods of procedure do not even pretend to be based upon any legislation enacted by the Con-



gress. It claims the authority to render decisions and the right to enforce sanctions against legitimate business in this country, by canceling Government contracts, without even permitting the person who is cited before them the right of appeal. The Committee calls an individual in and tells him what he must do, what persons in his employ he must promote, and if he does not comply, then the agency cancels his Government contract, and there is no recourse whatever for the industry or the business that has been thus cited before the F. E. P. C. The Committee operates under rules and regulations of its own making and in many cases enforces its findings by sheer intimidation on the people with whom it deals. It conforms to no legislative standards whatever. It has even asserted the right and the power to amend, to modify, and even to repeal solemn acts of the Congress which have been upon the statute books for many years.

This Committee has been functioning since 1941. For its authority to enunciate all the broad rules and regulations it issues, to cite thousands of people before it, to prescribe how plants shall be operated, to say who shall be promoted, and whom a businessman shall employ, it depends upon Executive Order No. 9346, issued May 27, 1943, which was an amendment to Executive Order No. 8802, issued June 25, 1941.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. REVERCOMB. The Senator has made a very grave charge in that this Committee has violated and transgressed the laws enacted by Congress. Does the Senator intend to be specific on that point?

Mr. RUSSELL. Yes; if the Senator will permit me to proceed, I shall give at least two examples which, if I understand the English language, show that the effect of orders or regulations of this Committee will be to repeal an act of Congress. I shall be glad to reach that in a moment.

Now, Mr. President, I want the Senate to hear read a part of the Executive order. We are asked to legislate in this kind of fashion and approve all that has been done in the past and all that may be done in the future by this Committee, and I venture to say not a half dozen Members of the Senate have read the Executive order which the Committee claims as the source of its authority. The order has the whereases, and whereases, of course, are something with which no person could quarrel. In brief, the whereases say that it is necessary to see that the manpower in the United States is utilized, and that there should be no discrimination in employment on account of race, creed, or ancestry of the person who is seeking employment. No one could complain of that. I have never yet seen any resolution so drafted that an argument could be provoked about the whereases. A Senator could introduce a resolution and say whereas "It is highly desirable to the future welfare of the American people that poverty be abolished," and no man would controvert that statement; but if the

resolution proceeded in its resolving clause to say that all the wealth of the country should be equally divided among all the inhabitants of the United States, it would be a different question. Whereases, of course, are phrased so that no person could take exception to them, and so they will meet with almost unanimous approval. But getting away from the whereases and coming down to the body of the Executive order, I will read from it:

Now, therefore, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States and Commander in Chief of the Army and Navy, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of any person in war industries or in government by reason of race, creed, color, or national origin, and I do hereby declare that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this order, to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin.

Mr. President, I wish to discuss that language for a moment. This refers to a national policy, and therefore assumes the President has the right to enforce such national policy. Being merely an old-fashioned believer in democratic government, I believe that the enforcement of a national policy of this nature requires the action of the Congress of the United States in some way, shape, form, or fashion.

This refers to the Constitution and statutes as the source of the authority. I challenge any Member of the Senate to rise on this floor and cite a single statute or provision of the Constitution which gives the President the right to enforce any such national policy through such a Committee as this.

It then refers to his general powers as President of the United States and Commander in Chief of the Army and Navy. So if there is any power at all, it is what was recently called, I believe, the aggregate of powers, a nebulous, illusive thing, on which no man can put his hand, and which no man can read because it has never been written or enacted by the Congress of the United States and cannot be found in the Constitution. Enforcement of this policy is based upon powers which no man can find in written law which has been granted by the Congress through the constitutional processes.

What, then, is to be the procedure, what, then, is to be the power of this creature which the President establishes in this order?

They follow:

It is hereby ordered as follows:

1. All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and requiring him to include a similar provision in all subcontracts.

2. All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to assure that such programs are ad-

ministered without discrimination because of race, creed, color, or national origin.

3. There is hereby established—

Senators, this is not an act of Congress I am reading, this is an Executive order:

There is hereby established in the Office for Emergency Management of the Executive Office of the President, a Committee on Fair Employment Practice, hereinafter referred to as the Committee, which shall consist of a chairman and not more than six other members to be appointed by the President. The chairman shall receive such salary as shall be fixed by the President—

This is not a statute, I again remind Senators; this is an Executive order—

the Chairman shall receive such salary as shall be fixed by the President, not exceeding \$10,000 per year. The other members of the Committee shall receive their traveling expenses and, unless their compensation is otherwise prescribed by the President, a per diem allowance not exceeding \$25 per day and subsistence expenses on such days as they are actually engaged in the performance of duties pursuant to this order.

4. The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order. The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.

5. The Committee shall receive and investigate complaints of discrimination forbidden by this order.

Shall receive and investigate complaints of discrimination forbidden by this order.

It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

I ask Senators, in all sincerity, if there could be a more general statement of far-reaching powers in any form of democracy than that. It creates a quasi court. The Constitution says that all inferior courts shall be created by the Congress, but this creates a quasi court, with general power to tell any employer in this country whom he shall or shall not employ, and what employee he shall or shall not promote, as well as to attempt to invade an employer's plant and prescribe any rule or regulation the members may think necessary to stop anything that they choose to call discrimination within the plant. Before I conclude, I shall give some illustrations along that line.

I have read how the court is established, and that the members shall take any appropriate step they see fit to enforce their rulings. No provision is made for appeal by any employer, or by any labor union which may be brought before them.

Upon the appointment of the Committee and the designation of its Chairman, the Fair Employment Practice Committee established by Executive Order No. 8802 \* \* \* hereinafter referred to as the old Committee, shall cease to exist.

I do not know exactly why the old Committee was abolished and a new one



created. Perhaps the old Committee was not diligent enough in pursuing the directives in the Executive order.

The Committee shall assume jurisdiction over all complaints and matters pending before the old Committee and shall conduct such investigations and hearings as may be necessary in the performance of its duties under this order.

No more general statement has ever appeared anywhere by any legislative body which sought to create an agency with the power to cite people before it and enforce sanctions against them. It is set forth in such general terms, which would not stand before any court in this land. The trouble about this is that it is not possible to get it to the courts. I continue the reading:

Within the limits of the funds which may be made available—

That provision permits the Chairman to employ the personnel, and fix the compensation of the personnel. I shall not read it all.

I want Senators to note this language in this act or law. The members of the committee refer to it as the law. I say it has absolutely no standing in our form of government, particularly a constitutional democracy, such as ours, because it is merely the product of the pen of the President of the United States, who has no power to legislate.

The Committee may utilize the services and facilities of other Federal departments and agencies and such voluntary and uncompensated services as may from time to time be needed.

I ask Senators to listen to that. Any social worker, or any other person who desires to work for this agency on an uncompensated basis, may have his services accepted, and he may then proceed to go into plants, or to harass employers to enforce his own ideas as to what might be a discrimination in employment. A man never sworn as an employee of the Government of the United States, a purely voluntary, uncompensated employee, is recognized here as an official of the Government, to go out and put in motion proceedings which may mean life or death to some business concern in this country.

The Committee may accept the services of State and local authorities and officials, and may perform the functions and duties and exercise the powers conferred upon it by this order through such officials and agencies and in such manner as it may determine.

Can Senators imagine a wider grant of power than that, or a wider assumption of power? The order allows the Committee to determine its procedure and to determine the method of enforcement. That power is vested in an agency that is presided over by a man whose name has never even been before the Senate for confirmation, and the Senate has never had an opportunity on earth to investigate this matter. Most of our knowledge of the Committee is gained from a few letters we have received from those groups which are supporting this agency and demanding that Congress make appropriations for its support.

This is the final grant of power, and it is even more sweeping and far reach-

ing than the others which I have read heretofore:

The Committee shall have the power to promulgate such rules and regulations as may be appropriate or necessary to carry out the provisions of this order.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. Yes.

Mr. WHERRY. Ofttimes the power to sign Executive orders is delegated to someone. I ask the Senator, who signed this Executive order?

Mr. RUSSELL. This Executive order was signed by the President of the United States, as I said at the outset of my remarks. This, Mr. President, is the finest illustration of the creation by the Chief Executive of action agencies without the consent of Congress, that could be brought before us. Although it has political appeal, when brought into the light, and put to the test of constitutional right, and as being consonant with the tripartite powers of government in the United States, it has not a leg to stand on or even a finger with which to catch hold of anything.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from South Carolina.

Mr. MAYBANK. There is one matter to which I should like to call the Senate's attention in connection with the order which the distinguished Senator from Georgia has read, and that is that the agency itself originates complaints. The agency is a court and it is also the originator of complaints. I wish to be perfectly fair with the Committee and say that it has limited the originating of complaints to advertising. It has admittedly originated 163 complaints involving discriminatory advertisements.

Mr. WHERRY. Is that to be found in the record of the hearings?

Mr. MAYBANK. It is.

Mr. WHERRY. On what page?

Mr. MAYBANK. On page 168 of the hearings before the subcommittee of the Committee on Appropriations of the Senate. The witness stated before the Committee:

The total number of cases involving discriminatory advertisements, including those cases which the present Committee inherited from its predecessor, is 163 cases; that is, 163 initiated on the motion of a regional director.

In other words, the regional director can initiate a complaint. The complaints, however, have been limited to discriminatory advertisements.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. As I understand the statement of the Senator from Georgia, it would indicate that any authority which the agency possesses comes from the Executive order.

Mr. RUSSELL. Yes. If the President has the power to create action bureaus or agencies, this agency has the power they assert. I do not believe he is authorized to create such agencies.

Mr. CHAVEZ. In other words, they have no authority whatever except as it results from the legality of the Executive order?

Mr. RUSSELL. I would not go that far, because the Executive has certain other powers which have been delegated to him by the Congress, and by asserting those powers, he can enforce the edicts of this Committee.

Mr. CHAVEZ. Does the Senator from Georgia know of any particular decision made by this committee which has been appealed to the courts for adjudication?

Mr. RUSSELL. I do not know how on earth a person would go to the courts to appeal from any agency which has no recognition or standing in law.

Mr. CHAVEZ. If the Committee has no standing in law, then appeal should be taken to the courts. Does the Senator know of any particular decision by the Committee which has been appealed to the courts?

Mr. RUSSELL. No. How on earth would one appeal from drifting smoke? This thing is not tangible. There is no way that you can lay your hands on it. The greatest lawyer that ever lived would have no method of appeal from an agency of this kind when they say, "We are going to have another agency cancel your contract," or "We will not permit the War Department to make a contract with you unless you give the committee power over your employment policies." How could an appeal be taken? A mandamus cannot be brought against the War Department to make the Department award a contract.

Mr. CHAVEZ. Of course, that cannot be done, but if the committee is acting in an illegal manner, if it is rendering decisions which are not in accordance with the law, then it has no standing whatsoever. But as I understand, no one up to the minute has appealed any of its decisions from a legal standpoint.

Mr. RUSSELL. Of course, there is no way on earth for anyone to appeal from any of its decisions. The only appeal that can be taken is to the integrity and dignity of the Congress of the United States. There is no way for an appeal from a decision by the Committee to come into court.

Mr. CHAVEZ. The function of Congress is to pass laws, but the interpretation of the laws, or decision with respect to the legality of an Executive order, belongs to the courts, and not to the Congress.

Mr. RUSSELL. Yes, but if the Senator can inform me of any method of getting this question in the courts I shall be very happy to have him do so.

Mr. MAYBANK. In the case of the Dallas News there was an exception.

Mr. RUSSELL. The Dallas News had no contract with the Government, and they told the Fair Employment Practice your nature." In that case the Committee, "You have no standing in law, because there is no power in the Chief Executive to create an agency of tee was forced to retreat. There are other cases, however, where they have demanded that certain practices be adopted within American business enterprises on the threat that contracts which had been awarded a company by other departments of Government would be terminated if it did not comply with the orders of this agency. The firm or per-



son whose contract may be suspended by a Government agency has no recourse to the courts.

Mr. CHAVEZ. I agree with the Senator from Georgia that there should be legality with respect to agencies of this nature. Whether the functions of the Committee are outlined in the directive, or whether provided for in an act of Congress, they should be provided for legally. The complaint I make is that no one has appealed to the courts about any particular thing this Committee may have done, and I want to have the correct procedure followed.

Mr. RUSSELL. I do not know of any way that complaint could be made to the courts. There have been two or three cases of individuals or companies having absolutely refused to carry out the orders of this Committee, and they have been cited to the President. The President, despite the fact that he has asserted that the orders were mandatory, has referred the cases to a second committee. There is no way that I can see to get the matter into the courts. The injured citizen is without redress.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Mississippi.

Mr. EASTLAND. The Senator stated that some of the decisions of the Committee are referred to the President, as was the railroad case. When that is done, is it the Senator's idea that the President is authorized to take over a plant for noncompliance with the order of the Committee?

Mr. RUSSELL. I was going to deal with that question in order, but I will do so now. I intended to refer to it later on in my remarks. After the Congress puts its stamp of approval on this agency there is no question in my mind that if an employer fails to comply with its orders, the Fair Employment Practice Committee intends to assert the position that the President has the power under his war powers contained in the Selective Service Act to take over the employer's business.

Mr. EASTLAND. Does the Senator know that the United States District Court for the District of Columbia in a decision in the month of April held that findings of fact by war agencies created under Executive orders of the President are not reviewable in court?

Mr. RUSSELL. I am not familiar with that decision.

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. RUSSELL. Yes.

Mr. CHAVEZ. If that statement be correct, then that is the law of the land.

Mr. EASTLAND. It is utterly not the law of the land. It is the law of dictatorship. Agencies have been set up under the President's war powers. Decisions by such agencies have been referred to the President. The President, under his war powers, has sent soldiers to certain plants and taken them over. The court now holds that under such conditions the orders are not reviewable. But there is utterly no question that in the present case there existed no legal authority for setting up

this agency. Congress passed the Smith-Connally Act. Under its provisions factories were taken over by the President. Congress recognized that that was legal, and specifically granted that authority under the Smith-Connally Act; but no such authority exists in this instance.

Mr. CHAVEZ and Mr. MURDOCK rose.

The PRESIDING OFFICER. Does the Senator from Georgia yield, and, if so, to whom?

Mr. RUSSELL. I yield first to the Senator from New Mexico, who was engaged in discussion with the Senator from Mississippi [Mr. EASTLAND]. Then I shall yield to the Senator from Utah. Following that, I ask Senators to allow me to complete my remarks.

Mr. CHAVEZ. Mr. President, I am not discussing the merits of the policy. However, I do say that if a court decides that it can do nothing about it, its decision is controlling, unless it is overturned.

Mr. RUSSELL. I now yield to the Senator from Utah.

Mr. MURDOCK. If I correctly understand the able Senator from Georgia, he takes the position that the agency of which he is speaking has no basis in law whatever. Am I correct in that understanding?

Mr. RUSSELL. That is correct.

Mr. MURDOCK. Then the Senator takes the position that because of that fact, if the legal rights of a citizen are violated by what he calls an unlawful agency, there is no redress or remedy by way of court action on the part of a citizen. Is that the Senator's position?

Mr. RUSSELL. That is my position. The aggrieved party cannot sue the Government. He will have his contract canceled or he can submit to the wishes of the F. E. P. C.

Mr. MURDOCK. As I understood the Senator, that was his position.

Mr. RUSSELL. This agency does not itself impose its sanctions. Under the powers delegated to it by the Executive order, it appeals to the action agencies, and they enforce its sanctions. The hearings will show that when representatives of the Committee were asked how they enforced their orders, with no standing in law and no power, they replied, "If a plant which has a contract with the War Department does not conform, we report that fact to the War Department, just as the President's proclamation instructs us to do; and when the War Department talks things over with the operators of the plant, it is usually able to compel them to conform."

That was the testimony. In answer to a question, they asserted in the hearings the right to impose the sanction of cancellation of contract by the War Department. I should like to know just what redress a citizen would have in seeking a contract if he refuses to incorporate in the contract any clause prescribed by this agency. If he refuses to incorporate in the contract the requirement submitting him to the jurisdiction of this Committee, he is not awarded the contract, and I should like

to know just what recourse he would have in a court of law.

The question was raised as to where the Comptroller General had been. The Comptroller General is supposed to be the official of the Government who sees that no funds are expended without authority of law. He is supposed to be the official of government who says when the acts of Congress have been transgressed or violated by any department of government. In times past he has been considered the strong right arm of the Congress to see that the legislation enacted by the Congress was followed.

This question was submitted to the Comptroller General. What did he rule? I do not like to read all these long documents, but the Comptroller General ruled that the President's proclamation was directive and not mandatory. A case arose in Kansas City, Mo. There are many Federal agencies with offices in Kansas City, Mo. The regional office submitted to the telephone company a contract which contained all the clauses which have been recommended by this F. E. P. Committee. The company involved was the Southwestern Bell Telephone Co., of Kansas City, Mo. These contracts cover telephone service to be furnished to national agencies through the central administrative service switchboard at Kansas City, Mo., and telephone pay stations installed in leased buildings, from which the Government receives 20 percent of the collections made on calls. Due to the inclusion of the antidiscrimination clause required by Executive Order 9346—that is, the Executive order which undertook to set up this action agency—the telephone company refused to execute the necessary agreements.

The same situation has arisen with respect to various leases in which this clause has been incorporated. Those owning real estate, such as office buildings, and leasing it to Government agencies, are now required to subject themselves to the policing and authority of the Fair Employment Practice Committee before the Government will execute a lease. Certain contractors refused to incorporate such provisions in their contracts. The telephone company refused to sign such a contract.

These are the cogent parts of the Comptroller General's ruling:

Admittedly, the matter of the inclusion in Government contracts of antidiscrimination clauses has not been the subject of specific statutory enactment.

The Comptroller General, appointed by the President, when this matter was submitted to him, said that admittedly this has never been a matter on which the Congress has taken action.

Hence, past decisions of the accounting officers with reference to contract provisions or stipulations expressly required by acts of Congress are—at most—only indirectly applicable to the instant case.

The question was raised as to where the Comptroller General had been. Here he is. This is his ruling. He is supposed to see to it, as an officer of the Government, that nothing is done contrary to acts of Congress. He says that admittedly the requirement that these clauses be included, subjecting contractors to



the authority of this Committee, has never been the subject of statutory enactment.

But the Comptroller General went further. He said:

However, for present purposes, it will be assumed that the involved portion of Executive Order No. 9346 should be given the same effect as a statute enacted in like terms, under like conditions, and for a like purpose.

I continue to read briefly from the ruling. When I shall have concluded, I shall ask that the entire opinion be printed in the RECORD.

Hence, there is for consideration the question of whether the section of the Executive order here involved is mandatory, in the sense that failure to comply therewith vitiates the action taken, or whether it is directory only, leaving some discretion in the various contracting agencies of the Government to mitigate literal application of the order in particular cases.

I skip two or three paragraphs which are not especially pertinent, and read the last paragraph. This is the significant paragraph in the opinion. In it is embraced the ruling by the Comptroller General:

Accordingly, it is concluded that the paragraph of Executive Order No. 9346 involving the inclusion in Government contracts of a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin, and requiring him to include a like provision in subcontracts was intended only as a directive to the contracting agencies of the Government, so that failure to include such a provision will not render void an otherwise proper contract or render objectionable otherwise proper payments thereunder.

The opinion is signed by Lindsay C. Warren, Comptroller General of the United States.

Mr. President, I ask that the letter be printed in full in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL OF  
THE UNITED STATES,  
Washington, October 7, 1943.

LIAISON OFFICER,  
Office for Emergency Management.

MY DEAR MR. BYRNES: I have a letter of September 11, 1943, from the Director, Division of Central Administrative Services, reference FI-21, requesting decision whether contracts and leases which do not contain an antidiscrimination clause of the nature prescribed by Executive Order No. 9346, dated May 27, 1943, may be entered into and payments made thereunder in cases where the contractor refuses to execute a contract or lease containing such a clause and similar services or suitable office space cannot be secured from other sources.

Executive Order 9346, supra, provides, in pertinent part, as follows:

"In order to establish a new Committee on Fair Employment Practice to promote the fullest utilization of all available manpower and to eliminate discriminatory employment practices, Executive Order No. 8802 of June 25, 1941, as amended by Executive Order No. 8823 of July 18, 1941, is hereby further amended to read as follows:

"Whereas the successful prosecution of the war demands the maximum employment of all available workers regardless of race, creed, color, or national origin; and

"Whereas it is the policy of the United States to encourage full participation in the war effort by all persons in the United States regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders; and

"Whereas there is evidence that available and needed workers have been barred from employment in industries engaged in war production solely by reason of their race, creed, color, or national origin, to the detriment of the prosecution of the war, the workers' morale, and national unity:

"Now, therefore, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States and Commander in Chief of the Army and Navy, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of any person in war industries or in Government by reason of race, creed, color, or national origin, and I do hereby declare that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this order, to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin.

"It is hereby ordered as follows:

"1. All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and requiring him to include a similar provision in all subcontracts."

The difficulties upon which the request for decision is based are described in the submission, as follows:

"In compliance with the foregoing, this office has issued instructions requiring the incorporation of the following clause in all future contracts:

#### "ANTIDISCRIMINATION

"A. The contractor, in performing the work required by this contract, shall not discriminate against any worker because of race, creed, color, or national origin.

"B. The contractor agrees that the provision of paragraph (A) above will also be inserted in all of its subcontracts. For the purpose of this article, a subcontract is defined as any contract entered into by the contractor with any individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, for a specific part of the work to be performed in connection with the supplies or services furnished under this contract: *Provided, however*, That a contract for the furnishing of standard or commercial articles or raw material shall not be considered as a subcontract."

"Pursuant to these instructions, the antidiscrimination clause was incorporated in proposed contracts with the Southwestern Bell Telephone Co., Kansas City, Mo. These contracts cover telephone service to be furnished the national war agencies through the central administrative service switchboard at Kansas City, Mo., and pay telephone booths installed in a leased building from which the Government was to receive 20 percent of the collections made on calls.

"Due to the inclusion of the antidiscrimination clause required by Executive Order No. 9346, the telephone company has refused to execute the necessary agreements. The same situation has arisen with respect to various leases in which this clause has been incorporated.

"Since telephone service in Kansas City, Mo. can be obtained only through the South-

western Bell Telephone Co. and available office space in certain sections of the country is at a minimum, the refusal of contractors to accept contracts containing the antidiscrimination clause has caused considerable administrative difficulties."

Admittedly, the matter of the inclusion in Government contracts of antidiscrimination clauses has not been the subject of specific statutory enactment. Hence, past decisions of the accounting officers with reference to contract provisions of stipulations expressly required by act of Congress are—at most—only indirectly applicable to the instant case. (See 16 Comp. Gen. 583, re Walsh-Healey Act of June 30, 1936, 49 Stat. 2036; 17 id. 937, 18 id. 646, and 20 id. 890, re 8-hour law of June 19, 1912, 37 Stat. 137; 15 id. 577, re Bituminous Coal Conservation Act of 1935, 49 Stat. 991; 4 id. 208, and 5 id. 376, re Heard Act of August 13, 1894, as amended, 33 Stat. 811; 12 id. 122, re statutory prohibitions against purchase of foreign products; 19 id. 516, re congressional interest stipulations; and 17 id. 37, re National Labor Relations Act, 49 Stat. 449.) However, for present purposes, it will be assumed that the involved portion of Executive Order No. 9346 should be given the same effect as a statute enacted in like terms, under like conditions, and for a like purpose.

The portion of the order relating to the inclusion of such provisions in Government contracts is addressed primarily to the contracting agencies of the Government rather than to contractors. But such fact would not be material if it be concluded that the order is of a mandatory nature; for, in that event, it would be beyond the authority of a Government officer to execute a contract or lease not containing such provisions. Nor would there be authority in this office in the audit of contract payments to make exceptions to the order upon the facts and circumstances of particular cases. See, in this connection, 20 Comp. Gen. 890.

Hence, there is for consideration the question whether the section of the Executive order here involved is mandatory, in the sense that failure to comply therewith vitiates the action taken, or whether it is directory only, leaving some discretion in the various contracting agencies of the Government to mitigate literal application of the order in particular cases. See *Vaughan v. John C. Winston Co.* (83 F. 2d 370); *Ballou v. Kemp* (92 F. 2d 556); *In re Hodges* (4 F. Supp. 804). When used in statutes, the word "shall" ordinarily is construed in the imperative or mandatory sense; but courts refuse to adopt that meaning when to do so would do violence to the objects and purposes of the statute as a whole. See *Words and Phrases*, Permanent Edition, Volume 39, page 91 et seq.

The specific purposes sought to be accomplished by Executive Order No. 9346 are clearly stated in its text; namely, to promote the fullest utilization of all available manpower and to eliminate discriminatory employment practices. These aims, it is stated, are based upon the firm belief of the President "that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders." Obviously, the prime objective is the successful and unimpeded prosecution of the war. And it is in that light that the nature of the section addressed to the contracting agencies of the Government must be regarded; that is, whether intended as a mandate or as a directive.

It is to be assumed that the instances will be few in which contractors will refuse to execute contracts with the Government solely by reason of the inclusion of an anti-discrimination provision. But, in such instances, no



useful purpose could possibly be served by a requirement that the Government agency involved could not consummate a contract with such individuals or firms without the provisions in question, especially if the desired service could not be procured from any other source. It seems that the most that can be accomplished by Government contracting agencies in carrying out the national policy of nondiscrimination in the employment of workers as declared by the President is to secure the assent of contractors to such provisions wherever and whenever possible. Otherwise, the net effect of the requirement would be to obstruct the activities of the several agencies of the Government with no apparent compensating benefit.

Accordingly, it is concluded that the paragraph of Executive Order No. 9346 involving the inclusion in Government contracts of a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin, and requiring him to include a like provision in subcontracts, was intended only as a directive to the contracting agencies of the Government, so that failure to include such a provision will not render void an otherwise proper contract or render objectionable otherwise proper payments thereunder.

Respectfully,

LINDSAY C. WARREN,  
Comptroller General of the United States.

Mr. RUSSELL. So, Mr. President, the Comptroller General in endeavoring to see that the powers of Congress were protected had ruled that the Executive order was merely directive, and was not mandatory. What happened? The President of the United States, when he heard of that ruling by the Comptroller General, wrote a letter to the Attorney General. I shall read from the letter, which is under date of November 5, 1943:

NOVEMBER 5, 1943.

MY DEAR MR. ATTORNEY GENERAL: You have brought to my attention the Comptroller General's opinion holding that Executive Order 9346 is directive only and not mandatory in requiring insertion in all Government contracts of a provision obligating the contractor not to discriminate against any employee or applicant for employment on account of race, creed, color, or national origin; and requiring the contractor to include similar contractual provisions in all subcontracts.

There is no need for me to reiterate the fundamental principles underlying the promulgation of the Executive order, namely, that the prosecution of the war demands that we utilize fully all available manpower and that the discrimination by war industries against persons for any of the reasons named in the order is detrimental to the prosecution of the war and is opposed to our national democratic purposes.

I realize the hesitancy of the Comptroller General to withhold payment on Government contracts in which these provisions have not been included where there is doubt as to whether the order is mandatory.

Mr. President, the Comptroller General did not say he had any doubt. His is an office established by Congress to pass on these matters. He has not expressed any doubt; he had ruled specifically that the President's order could not be mandatory in these cases.

I read further from the President's letter:

I therefore wish to make it perfectly clear that these provisions are mandatory and should be incorporated in all Government

contracts. The order should be so construed by all Government contracting agencies.

The letter is signed by the President of the United States, and thereby overrules the Comptroller General, who is authorized by law to decide such questions. The letter orders all Government agencies to put into these contracts provisions which would subject employers, businessmen, and manufacturers to the whims or fancies of the Fair Employment Practice Committee, which has absolutely no legislative sanction.

Mr. WHITE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from Georgia yield to the Senator from Maine?

Mr. RUSSELL. I yield.

Mr. WHITE. I have been out of the Chamber, in response to a long-distance telephone call. Consequently, I have missed a part of what the Senator from Georgia has said. But I recall that when he was reading the record it appeared that the powers claimed were said to be based upon the Constitution and upon certain statutes, many of the provisions of which, I think, relate to the powers of the Commander in Chief in time of war. What I wish to ask is whether at any time anyone seeking to justify the orders and the actions of the Committee has specified a constitutional provision or any particular statute upon which reliance is placed.

Mr. RUSSELL. Mr. President, I will answer the Senator from Maine by saying that, so far as I am advised, no person has ever undertaken to assert that any provision of the Constitution or any statutory enactment of the Congress vests any power of this nature in the President or in this Committee. Certainly he had no power, unless it was under the so-called aggregate or cumulative powers to which the Attorney General referred, to thus empower this agency.

Mr. President, if this action overruling the opinion of the Comptroller General, and ordering that all agencies of Government insert in their contracts clauses which would give this Committee jurisdiction over their employment policies, if the assumption of these powers by this Committee over employers, labor unions, railroads, and newspapers, is not legislation by an executive agency, in derogation of the powers of the Congress, then the Congress does not have any power.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. Has the Senator mentioned the railroads which have been cited?

Mr. RUSSELL. I intend to touch upon them before I conclude my remarks.

Mr. MAYBANK. That case not only involves an extension of powers, but, it seems to me, is an indication of sectional persecution.

Mr. RUSSELL. I intend to discuss that matter before I conclude.

Mr. President, under this preemption of legislative power this agency has asserted a great many functions and a great many powers. It has constituted itself as a quasi court. It issues processes to bring persons before it for trial. It has assumed the right to dictate and to control the policies of manufacturing concerns, newspapers, railroads, labor unions, and individual citizens. It has asserted the right to determine when individual employees of those concerns should be promoted, reclassified, or employed in the initial instance. It tells the manufacturers, the newspapers, the labor unions, and the railroads who are before it, either on the basis of a complaint it has received from an individual or, as stated by the Senator from South Carolina, on the motion of any of their employees, what they must do.

Mr. President, before Senators put their stamp of approval on this agency, before they ratify and approve all that has been done in its name, it might be well to look at some of the regulations of the agency and to see what is their effect.

A few minutes ago, the Senator from West Virginia [Mr. REVERCOMB] expressed doubt that this agency had undertaken to repeal or modify any of the acts of Congress. I respectfully invite his attention to a reading of some of the committee's rulings.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. REVERCOMB. I say to the Senator that I did not express doubt, but I called on the Senator to be specific; or, rather, I inquired whether he would be specific.

Mr. RUSSELL. Yes. Now I will be.

Mr. WHERRY. Mr. President, will the Senator state the page from which he is about to read?

Mr. RUSSELL. I am about to read from part 2 of the House hearings, at page 549.

The Committee asserted its interpretation of the Executive order. It asserted as a basis of legality that in the order creating it, it was given the power to make its own rules and regulations. It has undertaken to make its own rules and regulations for the enforcement of the Executive order.

Here is its definition of its power and its interpretation of the Executive order:

1. The words "all contracts hereafter negotiated or renegotiated" include all contracts made, amended, or modified.

It does not say so specifically, but if it has that power, it has the right to force a business or industry under other laws which we have passed for the purpose of renegotiation of contracts, to come in and renegotiate contracts so as to include this clause giving the committee power over the persons employed by the contracting party who has entered into a solemn contract with the Government.

I read further from the Committee's definition of its power and its interpretation of the Executive order:

2. A nondiscrimination provision is required in leases, grants of easements, rights



of way, etc., to the same extent that it is required in other contracts.

3. The obligation to include the nondiscrimination clause exists even though the contract involves nonwar activity.

That shows how elusive the agency is and how it has transgressed any reasonable interpretation of any right it might have under any Executive order. It relies, on the one hand, on the war powers, and says, "because we are at war," but when it comes to drawing its rules and regulations under the President's Executive order, it says it has the same right over contracts involving nonwar activity that it has over those which are directly related to contracts made for war purposes.

I hope Senators will listen to this language because, to me, with the old-fashioned faith which I have in the Congress, and my belief in congressional powers, this is one of the most amazing regulations of which I have ever heard, even if it had been issued by an organization which was created by an act of Congress.

I now read paragraph 4 of the statement to which I have referred.

4. The obligation to include the nondiscrimination clause exists even though the contract is required to be awarded to the lowest bidder.

Congress has passed laws absolutely guiding the course of Government agencies in awarding contracts to the lowest bidder. This agency says that it will superimpose upon the congressional action its own provisions and conditions, and that a contract will not be awarded in accordance with the action of Congress unless the contractor follows the ruling issued by the Committee which was created under Executive order. If that is not asserting the right to modify, amend, or repeal the effect of an act of Congress, then I do not understand what it could possibly be.

I read paragraph 5.

5. The obligation to include the nondiscrimination clause exists even though the contract is between a Federal Government agency and a State agency or subdivision of a State.

Some Senators in times past have referred to their belief in some scintilla of rights in the States. Here is an agency which, without a line of congressional authority, assumes to tell a sovereign State what practices or policies it may follow before it shall be allowed to enter into any agreement with the great Union of States which is represented by our Central Government in Washington. What does the right of a State amount to when the Committee on Fair Employment Practice can tell the State what it shall or shall not do?

I now read paragraph 6:

6. The obligation to include the nondiscrimination clause does not depend on the amount of money or other consideration involved in the performance of the contract.

Mr. President, there are several remaining paragraphs which I shall not read, but I ask unanimous consent that they be printed in the *Record* at this point as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the *Record*, as follows:

7. The nondiscrimination provision required does not refer to, extend to, or cover the activities or business of the contractor which are not related to or involved in the performance of the contract entered into.

8. Inclusion of a nondiscrimination provision is not required in contracts the performance of which does not involve the employment of persons.

9. Inclusion of a nondiscrimination provision is not required in contracts with foreign contractors for work to be performed outside the continental or territorial limits of the United States where no recruitment of workers within the said limits of the United States is involved.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHERRY. A moment ago the Senator stated that the agency which is now under discussion had originated the practice of filing protests and causing difficulties between contracting parties and others. To the Senator's knowledge, has the agency ever caused strikes or any difficulties in that respect?

Mr. RUSSELL. Before I conclude I shall cite one or two instances of the committee's action in regard to labor difficulties referred to by the Senator from Nebraska. I shall explain how the committee went even beyond the limits of the Executive order, broad and sweeping as it was, and involved itself in a labor strike in a very critical war industry which lasted for several weeks.

Mr. President, if this agency, which was created by an Executive order, has the powers which are asserted in these rules and regulations, of repealing and modifying acts of the Congress placed upon the statute books years ago, the Congress is an absolutely useless expense to the American people. It should adjourn sine die, and cease to exist once and for all, if an agency which was created by Executive order has the right to modify, amend, or repeal a solemn act of Congress. If the committee can overpower the Congress in anything it seeks to do Congress should cease functioning and allow the committee to take over all responsibilities. If the agency under discussion, a little creature of Executive order, can overpower an act of Congress, then Congress can not justify its existence.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. REVERCOMB. I have listened with interest to the able discussion of the Senator from Georgia and in the presentation of his views. I, as he, have read from page 549 of the printed hearings the committee's statement of its interpretation of the Executive order. Is there any method provided for going to the courts and testing the validity of any act of the committee under the statement of its powers?

Mr. RUSSELL. That question is the same as the one which was asked by the Senator from New Mexico.

Mr. REVERCOMB. I am sorry; I did not hear the question when it was asked.

Mr. RUSSELL. If a man only followed the law prescribed by Congress and was the low bidder and was refused the contract how could he bring the Govern-

ment before a court? If he followed the law of Congress but refused to follow the law of the Committee on Fair Employment Practice by declining to give them jurisdiction over his business, what recourse would he have? He cannot sue the Government.

The President has sent word through his Attorney General that such clauses are mandatory. When the Comptroller General said that there was no law for such a practice, the President told the agencies through the Attorney General that the practice was mandatory. How could a mere citizen obtain any redress in court? The Senator from West Virginia is an able lawyer. For approximately 12 years I was in the active practice of law. I know of no method of securing relief in such a case through the courts. The citizen depends on the Congress for fair treatment at the hands of his Government. In the future, if this amendment is approved, he must look to this Committee.

Mr. President, if this Committee has the power to which I have referred, it has the power to take away from an owner of an apartment house, should he have a Government contract, the right of selecting his tenants. There might be no relation whatever between his contract and his apartment house, but the Committee would have the power, apparently, to tell him it would take the contract away from him unless he allowed anyone willing to pay the necessary rent to become a tenant of his apartment house. If the Committee has such power, it has the power to cancel any provision in a deed to real estate which undertakes to place a restriction upon a person or race of people which might occupy the premises sought to be conveyed. The Committee would have the right and power to cancel contracts, and to superimpose upon the acts of Congress any requirements which it might exact. Such powers would include the cancelation of a solemn deed to land merely because it contained some clause restricting the occupancy of a property to a colored man, a white man, or a Chinaman, to the exclusion of every other race.

Mr. President, Congress cannot approve the requested appropriation without in effect abdicating. Congress cannot approve the appropriation without endorsing the right and power of the executive department of government to legislate.

Allow me to read the language to which I refer, and then conclude as to whether what I have stated is not true:

For all expenses necessary to enable the Committee on Fair Employment Practice to carry out any functions lawfully vested in it by Executive Orders Nos. 8802 and 9346—

And so forth. As I have already stated, when the amendments were first read, the consciences of some of the members of the Committee who were expecting to vote for this proposal needed a soporific, and therefore the language was changed so as to read: "Any functions lawfully," Mr. President, those words mean absolutely nothing. This agency has already told the Congress what it believes its powers to be under the Executive order.



Congress cannot approve the appropriation without approving and endorsing every act, rule, regulation, policy, and all the procedures of this agency, and authorizing it to go even further in the future. Senators cannot wash their hands, Pilate-like, and say, "I hope the agency will do it lawfully," because the F. E. P. C. have already served notice how they will proceed.

I might point out that the Chairman of this organization stated at the hearings that the Committee assumed that each and every power they have undertaken to exercise is lawful, and, therefore, the change in the language of the amendment would have absolutely no effect on their actions.

The vote on this amendment will determine the sincerity of all those who have asserted opposition to government by bureaucracy and by Executive decree. No Senator who really believes in the power and the right of Congress to legislate can vote to approve this assumption of legislative prerogatives by the Executive. No Senator can condemn such assumption in one instance and approve it in others. If any Senator wants to claim that he votes for this amendment because the Congress has not taken any action, then he is admitting that the Congress is impotent that it cannot act and that it is, indeed, useless, as many of our critics are asserting today. In this case when the vote comes Senators have either got to vote for constitutional government and to preserve the coordinate powers of each branch of that government, or vote in favor of the philosophy of government by men and when they do that they will admit that democracy through representative government has failed. I assert that Senators who are tempted to vote for this amendment for political reasons but still have some interest in preserving the private-enterprise system will do well to consider this matter carefully in all its aspects before voting for the amendment.

Until now this agency has had a rather tenuous grip on life; it has had to depend on allocations from the President's emergency fund for money to support it. The agency has never received any recognition whatever from the Congress. For this reason it has been treading rather softly, and when its efforts at government by intimidation have been challenged the attempt at enforcement has been cautiously made. But the whole pattern of this organization and its methods clearly demonstrate what we may expect if the Congress approves this agency and recognizes the validity of the Executive order creating it. If we shall adopt this amendment we will not only have ratified all the actions of the F. E. P. C. up to date, their rules and regulations that repeal acts of Congress, and all the policies they have adopted; but if we approve it, with the group that is in charge of it, we will have made the sky the limit and the world their field for future operations. I hope Senators will mark that prediction.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHERRY. I should like to ask the Senator a question. Of course, I realize he is not speaking merely for the RECORD, but in all sincerity. In the event, however, that the amendment of the committee is rejected and we do not grant the appropriation after consideration of the amendment, what is to prevent the President of the United States continuing this agency as it is now being operated under the executive branch of the Government?

Mr. RUSSELL. I might say that nothing would prevent it from operating, but the amendment which on my motion was placed on the independent offices appropriation bill would prevent any members or employees of the agency from drawing any money after the 1st day of July.

Mr. WHERRY. That is, from any appropriations we might grant to the agency?

Mr. RUSSELL. Oh, no; not only from any appropriation we might grant to the agency, but from any other funds of the Federal Government.

Mr. WHERRY. Does not the Executive have funds provided by appropriations for the Executive Office?

Mr. RUSSELL. Yes; but he could not use them for the payment of the salaries of members of this Committee.

Mr. WHERRY. Is the Senator absolutely sure in his conviction that in the event this appropriation is denied the agency will not be able to use money from any other source?

Mr. RUSSELL. The amendment to the independent offices appropriation bill prevents such use of funds. Unless the President wants to discharge the Comptroller General of the United States and take over his office by force of arms there can be no way after the first of July to pay the expenses of the F. E. P. C.

Mr. WHERRY. What about borrowing the money from the R. F. C. and other organizations, as the money to pay consumer subsidies is now provided?

Mr. RUSSELL. As to the consumer's subsidies with which I am familiar, most of the funds to pay them are derived from the Commodity Credit Corporation.

Mr. WHERRY. From the R. F. C.

Mr. RUSSELL. No; from the Commodity Credit Corporation.

Mr. WHERRY. The Commodity Credit Corporation pays the subsidies, but they get the money from the R. F. C.

Mr. RUSSELL. The money is paid from the funds of the Commodity Credit Corporation which has a loan authorization, as I recall, of \$3,000,000,000.

Mr. WHERRY. I am sincere about this matter. The Senator is making an able presentation, I appreciate his remarks, and I am open-minded and want to get the facts. On the question of appropriations, I am wondering if there will not be another way, despite the position the Senator takes, to circumvent it by the use of another appropriation?

Mr. RUSSELL. I will say to the Senator it cannot be done, and I shall tell him why. This agency has been in operation since 1941. The President never sent in a Budget estimate and never came before Congress asking for a dollar for this agency. It has been financed from

its inception from the President's emergency fund. After the Senate approved the amendment which I offered to the independent offices appropriation bill, which the Senator from Nebraska may recall, the President, for the first time, sent in a Budget estimate, asking congressional approval for this agency. In my judgment, that is recognition that the agency could not exist after the first of July if the Senate strikes this item from the bill.

Mr. WHERRY. I thank the Senator.

Mr. RUSSELL. I thank the Senator from Nebraska for his interest and for giving me a hearing on this matter, which I regard as being fundamental. I think it is one of the most important issues which have been before the Senate in a long time. This matter is sufficiently important for every Member of Congress to look into the background and philosophy of those who are directing this organization before they issue such a blank check as is here proposed to provide it with the powers they have assumed.

Some of the members of this board and many of the field personnel in the regional offices who occupy quasi-judicial positions, some of those who serve as prosecuting attorneys in handling complaints before this board are members of organizations and groups which have been branded as subversive by the Attorney General of the United States as well as by the Dies committee. I shall not now go into the details, but I could discuss the matter for some time and mention names. Some of the members of this board and many of their field representatives have been branded as members of subversive groups by the Attorney General of the United States, or at least the groups to which they belong have been branded as subversive.

Senators would best look into the setup of this organization, and those who are administering it, before they decide that they want to entrust into their hands the future destiny of free American business and enterprise. If the powers claimed are approved, without a single legislative standard or any safeguard whatever thrown about them, when we vote the money, it is no exaggeration to say that we will have gone a long way toward nationalizing or socializing American business.

Mr. REVERCOMB. Mr. President—

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Georgia yield to the Senator from West Virginia?

Mr. RUSSELL. I yield.

Mr. REVERCOMB. Is there extant any other executive agency in the same position, exercising powers without congressional authority, without any limitation whatsoever upon the power it assumes to exercise?

Mr. RUSSELL. I do not know of any that has undertaken to haul people before it on a citation and impose sanctions on them. That is why I said at the outset of my remarks that, while this agency has political appeal, on the basis of being a pure question of government by men without sanction of law, we could never have a more clear-



cut issue than is here presented. I do not know of any of the other agencies which are operating without any legislative sanction or approval which have undertaken to hale citizens before them and try them as if they were a court, force them to cancel contracts between employer and labor unions, and to prevent them from installing separate toilet facilities for two races when there is a strike over that question, when the workers have been willing, but the agency said: "No; it would be a discrimination to put up a partition."

As I stated, we will have gone a long way toward nationalization or socialization of business. All that would be necessary would be for a man to bring a complaint and say, "I am capable of filling a certain position in this plant," some strategic position, some key position. If this board decides he is entitled to the position, the employer has to give it to him. The subversive groups which are here represented can infiltrate into American business, and the troubles we have had in the past will not be a circumstance to those we will have in the future.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHITE. The Senator said that if an employee brought a complaint, certain results would follow. Is it or is it not true that a representative of the Board could initiate a complaint, that it must not necessarily be initiated by an employee?

Mr. RUSSELL. They assert that power. However, they said that they had exercised it only in some 150 cases, I think. They said they had the power, particularly in the case of advertising, that on their own volition they had the right to go into a newspaper plant, where the paper had advertised for a certain type of employee and stop such advertising on the ground it was discriminatory.

We all know that in this period, today, the right to deny a Government contract means life or death to American business. There is not a great deal of private manufacturing which can be done. Manufacturing concerns cannot secure the priorities, they cannot secure the raw materials, with which to manufacture civilian products. When there is the right to deny a contract, or the power to deny, which is asserted and enforced by this organization, that is the power of life and death over American business, American enterprise, and American industry, and every Member of the Senate knows that statement to be true. The industry and the businessman must either submit themselves to this organization and its dictates or go out of business, a choice between sudden death or slow death, it seems to me.

The right of appeal has always appeared to me to be inherent in any American system. In this case there is no right of appeal, and the action of the Congress in appropriating, with full knowledge that this organization is assuming these broad powers, will open the door to more complete domination of American business and industry than it

has ever experienced in the past, or has ever dreamed of for the future. When that day comes, when, after this organization has been approved, and it is feeling the flush of congressional power, let no Senator say then, when he has a complaint for a harassed constituent that he was not warned of the consequences of his vote in voting to approve this organization and the powers it has asserted by virtue of a naked Executive order.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield.

Mr. WHERRY. Does the Senator know of any specific case in which this organization has, through another Government agency, withheld priorities or material, or in some way enforced, through another office, a directive to compel the enforcement of another agency's directive?

Mr. RUSSELL. I have not made an exhaustive investigation into that. Undoubtedly, if they have any power at all under the President's order, they have that power, because he gives them the right to call on any other agency to enforce their rulings.

Mr. WHERRY. I agree with that statement.

Mr. RUSSELL. I know it is shown in the House hearings that when the question was raised of inserting in contracts the clause to which I have referred—and I think this involves renegotiation, as well as the making of the contract in the beginning—and a man refused to renegotiate and subjected himself to their jurisdiction, they went to the War Department, and the War Department, on the threat of withdrawing the contract or canceling it, forced him to put the clause in the contract.

Mr. WHERRY. Did the Senator say that was a specific case he knew of?

Mr. RUSSELL. I did not say it was a specific case. I said that it was stated that that was the procedure.

Mr. WHERRY. I wish to say to the distinguished Senator from Georgia that one of the reasons for the amendment, the new section 3, in the bill extending the Price Administration, which the Senate recently passed, was a desire to prohibit the Office of Price Administration themselves using a directive in order to get the performance of a directive in some other office. In other words, a farmer was precluded from getting gasoline if he did not sign up with the triple A. I think that power should be curtailed. I do not believe Congress should permit one agency, through a directive, to see that another directive is enforced through another agency.

Mr. RUSSELL. The Congress has never recognized this agency, as we are asked to do now. Heretofore it has had to depend on some agency which has been created by the Congress to enforce its decrees, and let me state what the record shows. I refer to page 548 of the House hearings. The director of the field service of this organization was testifying:

If the employer has a contract with a Government agency, such as the War Department, the War Department is advised of his recalcitrance, since the employer is obligated

by his war contract not to discriminate, and we ask the War Department to use its best offices to bring the employer in line.

Mr. REVERCOMB. From what page is the Senator reading?

Mr. RUSSELL. From page 548. Listen to this:

Usually this is done without any compulsion.

Usually it is done without compulsion. Of course, a man who has a contract with the War Department will be cited before them, and the Department will say, "You have to upgrade these 400 employees and pay them \$8 a week more because you are underpaying them, in view of their skill."

The man replies, "I don't think so. I am not going to do it."

The next day he finds the contracting official of the War Department at his door, who says, "Mr. Jones, we have given you a good deal of business, and you had better go along with the Fair Employment Practice Committee."

What is he going to do? Of course he will increase the wages. It is government by blackmail; in a way, it is government by intimidation, but it is the most thoroughly effective method of enforcement of which I can conceive.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHERRY. Does the Senator know whether this rule has been employed with respect to a nonwar contract?

Mr. RUSSELL. I do not know that it has; but I read the regulations wherein the Committee asserts the power, and if Congress grants the appropriation and thus sanctions the power, I think the Committee will start in on nonwar contracts.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. Do I correctly understand from the Senator's statement to the effect that a member of this Committee might go to a contractor who had a Government contract and say, "Either you comply with the fair employment practice or your contract will be canceled," that the Senator from Georgia does not believe in fair employment practices even by a contractor who has a contract with the Government?

Mr. RUSSELL. I believe in fair employment practices which are established by the Congress of the United States. When the Congress of the United States ever legislates in this field Senators will not hear any complaint from me about the matter of appropriations to enforce it. I believe in appropriating funds to enforce the acts of Congress, but I am bitterly opposed to appropriating funds to enforce an act which has no legal basis other than an Executive order.

Mr. CHAVEZ. Is this the first time an appropriation has been requested by an agency of the Government which was created by Executive order?

Mr. RUSSELL. This is the first time to my knowledge that such an agency as this has been involved. I will not assert it as a fact, because I have been here only



10 or 11 years, and it may have slipped by without my knowledge. I have, however, tried to keep up with matters affecting appropriations, and this is the first time to my knowledge that an agency which has assumed power to cite people before it and has endeavored to enforce compliance with its orders, ever sought an appropriation when there was no congressional authorization for the agency. There may have been, but I do not know of any such case.

Mr. CHAVEZ. Is this the first agency created by Executive order that has requested an appropriation from Congress?

Mr. RUSSELL. Oh, no. Of course there have been a great many agencies created by Executive order which the Congress has directed the President to create, and there have been others created by Executive order which did not assert any rights over citizens, such as, for example, the agency which deals with congested areas. That agency has asserted no rights or powers. The President created an agency to coordinate the efforts of the different relief agencies in soliciting contributions for relief, but that agency has no power and no authority, and does not assert any power or authority. This is the first time to my knowledge that an agency which has asserted the power of a court to prosecute, to try and to punish the American businessman, has come to Congress and asked for an appropriation when its only basis for existence is an Executive order.

Let me read from page 559 of the hearings of the subcommittee of the Committee on Appropriations of the House:

The CHAIRMAN. Well, now, do you have any means, does the committee have any means by which it can compel compliance in connection with private industry and unions?

Mr. Ross. The final answer is "No," sir; but on the way up you have contracts in which it is mandatory for the contracting agency to see that the contractor puts a nondiscrimination clause in, and, presumably, there are sanctions that can be imposed by the contracting agency. The greatest one would be to abrogate the contract.

So the witness asserts the power to abrogate a solemn contract entered into between the Government and one of its citizens, if the citizen is not willing to permit the agency to take over his employment policies and direct whom he shall hire and what employee shall or shall not be promoted within his plant.

Mr. WHERRY. Mr. President, will the Senator yield again?

Mr. RUSSELL. I yield.

Mr. WHERRY. Was the witness Mr. Ross?

Mr. RUSSELL. Yes, the Chairman of the Committee.

Mr. WHERRY. He is the head of the organization?

Mr. RUSSELL. He is the Chairman of the Committee; yes.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BUSHFIELD. In the Senate subcommittee hearings I notice on page 168 an examination conducted by the distinguished Senator from Georgia in which this question was asked:

I have a letter here from a manufacturer in the State of Massachusetts who complains that the United States Employment Service had requested that in advertising for help to fill positions he require that applicants bring their birth certificates with them and that when he did so he was cited by the Fair Employment Practice Committee for following an unfair employment practice.

Now there are two agencies of the Government directly opposed to each other in the orders they give, and I should like to have the Senator, if he will or can, point out to me in the statutes where this Committee has any authority to cite an industry for asking for the birth certificate of a prospective employee.

Mr. RUSSELL. As I just stated, Mr. President, I do not think they have any authority whatever over anyone. I do not think that any President of the United States who ever lived has the power, without a single line of legislation, to create an agency to examine and try an American citizen, unless there has been an act of Congress with respect to it. He cannot do it by Executive order. But the way this thing has been set up, the punishment is just as sure as if the agency had the power, and it is much more effective, because they can punish the man and deny him the right of appeal, by going through the process of letting this agency order another agency created by Congress to cancel a contract.

When the War Department cancels a contract because the manufacturer would not subject himself to this Committee, what is the individual to do? He has no right of recourse in the courts. He cannot come into the courts and sue the War Department for withholding the contracts. He is powerless. He is helpless. He is subjected to this Committee created by Executive order, without the right of appeal, which the Congress would no doubt have provided if we had set up the agency.

Mr. WHERRY. Is there a court of appeal within the Committee?

Mr. RUSSELL. There is not any court of appeal, except appeal can be taken from one of the regional offices to the Committee in Washington.

Mr. President, I assert in all seriousness that this agency has been political in its handling of its affairs. It is directly allied with political organizations in this country that are endeavoring to take over the Democratic Party and attempting to destroy the Republican Party. This agency is one of the pets of the Political Action Committee which is trying to take over the Democratic Party by sapping, undermining, and absorption, and it is attempting to destroy the Republican Party by direct frontal attack.

There is no agency that has been so active in attempting to promote the appropriations and the powers of this Committee, as the C. I. O. and its subsidiaries. I have here this week's issue of the News Flash of the N. A. W. C. I. O. issued from Washington. It contains what to me is the most insulting statement I have ever seen printed in any periodical. I may say to Republican Senators in all candor that while I am a Democrat, in my judgment they are not

going to get very far or get very many votes by voting for this organization, because it is a child of the C. I. O. The American Federation of Labor or its affiliates has been one of the principal targets of some of this committee's work. It is not going to support the Republican Party. This paper says it has tied all the 35 Republicans together, and it undertakes to knock all of them down at once by saying that they just rendered lip service to the poll-tax movement by supporting the constitutional amendment, and it does not credit a single Republican for voting for cloture. Some Republican Senators were so misguided as to be in favor of cloture and to be in favor of the bill, but the C. I. O. committee do not give them any credit for it. So far as this C. I. O. organization is concerned all 35 are tied together, and are to be damned together with the Southern Bourbon Senators and poll taxers.

Mr. REVERCOMB. Mr. President, will the Senator yield.

Mr. RUSSELL. Perhaps I should not have made that statement.

Mr. REVERCOMB. I simply rose to say that when that attack comes I hope the Senator from Georgia will rise to our defense.

Mr. RUSSELL. Perhaps I shall have my own hands full, as I will show before I conclude. I wish to read now from a statement by the political action committee. They say the F. E. P. C. had a narrow escape in the House.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHERRY. Would the Senator again repeat what he said with respect to the poll-tax matter? I was distracted for a moment and did not hear his statement clearly.

Mr. RUSSELL. I said that the C. I. O. committee tied up all the 35 Republicans together, and undertook to knock all of them down at once by saying that they merely rendered lip service to the poll-tax movement by the constitutional amendment, and without crediting a single one of them with having voted for cloture. I think the Senator from Nebraska did so, but one can never tell by reading from this statement made by the Political Action Committee that the Senator did. They are all tarred with the same stick by this organization. They get no credit at all for having voted for cloture.

Mr. WHERRY. I think in all justice I should say that it was not at all a question with me of how much I could get out of the matter politically.

Mr. RUSSELL. I did not say that.

Mr. WHERRY. I am sincere in my statement. I think the way to settle the poll-tax question is by adoption of a constitutional amendment. I voted for House bill 7 in the committee and for cloture. Now that the Senator has mentioned it, let me say that the distinguished Senator from Wyoming [Mr. O'MAHONEY] made the statement in the press that I voted against his amendment in the committee and then came to the floor of the Senate and voted for



House bill 7. I wish to make the matter clear. I am interested in the poll-tax measure. I believe that the poll tax should be eliminated. I am sincere in that belief. The reason I voted against the O'Mahoney amendment in the Judiciary Committee was that it was a substitute for House bill 7, and the Senator from Wyoming tried to kill the bill in the committee. I wish to have that understood. I am for the constitutional amendment. I am sincere about it. There are no politics involved. But when we recur to the agency which is under discussion, we are speaking about an entirely different thing. We are speaking about creating an independent office by Executive order, without legal sanction, and circumventing the Congress. It is not a question whether this race or that race, or this creed or that creed is discriminated against. The question is, Are we to permit the Executive to establish an independent office contrary to the will of Congress and without specific congressional authority?

Mr. RUSSELL. I think the fair question is, Are we going to violate the Constitution of the United States?

Mr. WHERRY. That is correct.

Mr. RUSSELL. I thank the Senator for his statement. I wish the Senator to understand that I was not impugning the consistency of the Senator from Nebraska. I was referring to the inconsistency of the political action committee, tying all the distinguished Republican Senators together, though they differ in their convictions, and painting them all with the same brush, and condemning them all with the same breath. It was inconsistent on the part of the political action committee. It was in keeping with the action of this committee to offer a gratuitous insult to many Senators on both sides of the aisle. In discussing the F. E. P. C., the political action committee says:

The fight now goes to the Senate Appropriations Subcommittee. This committee is loaded against F. E. P. C.

I wish that statement had been true. It developed that the political action committee had much more power in the Appropriations Committee than it had anticipated.

This committee is loaded against F. E. P. C. The greatest pressure must be put on every Senator to appear before the committee and make public statements to save the F. E. P. C. Also ask him to demand a record vote on the floor of the Senate.

Mark well these gratuitously insulting words:

Most northern Senators will not risk a public vote against fair employment practices for Negroes—not in 1944, anyhow.

That is a gratuitous insult to the courage and integrity of any Senator who happens to be from the North.

The political action committee does not confine its activities to Republicans. The Senator was asking about my support when the political action committee was involved in a campaign. Let me read this telegram addressed to me:

We consider your activities against F. E. P. C. in Senate a mockery of liberty and freedom of speech.

I do not exactly understand the freedom of speech part.

Continuance of your fight against democratic legislation will lead you inevitably to the same fate suffered by your brothers in prejudice, Messrs. DIES and STARNES—political bankruptcy.

The telegram is signed "Political Action Committee, B. I. J. U. C. Employees."

Mr. President, I may suffer political bankruptcy. I shall not like it any more than anyone else does. My will to win in a political campaign and my desire to hold exalted public office is about as strong as that of any other Member of this body; but I pray that that will to win and desire to hold public office may never be so strong as to drive me into voluntary moral bankruptcy. It may drive me into political bankruptcy, which will be involuntary if it occurs; but when that day comes I hope I can walk out of this body with an unfettered conscience and the satisfaction of at least having done what I thought was right.

Mr. President, this F. E. P. C. is not only a political agency from that standpoint but it is a political agency because of its other operations. It was commanded by the President to go into all the Federal agencies and to see that there exists no discrimination in employment because of race or religion.

Any visitor to any of the departments of government in Washington, I care not how ardent a nondiscriminator he may be, will see plenty of evidence that the Committee has performed well the duties with which it was charged by the President. There has been no discrimination, so far as I know, against any race which belongs to a minority group. But as evidence of the political nature of this agency, when it comes to its own personnel, we find that it is overwhelmingly Negro. It has not hesitated to discriminate against the white race in its own employment policies. The Negro population of this country is slightly less than 10 percent, but the record discloses that two-thirds of the employees of this agency are Negroes. I mention that fact merely to show the political nature of this agency.

The record shows that this is probably the highest-paid agency in the Government. The average salary of the employees of this agency, without overtime, amounts to \$3,015.40 a person. Mark that. That is the average salary in this agency, as compared with an average throughout all the civil service in all the other agencies of only \$1,700—nearly twice as much.

Why is it necessary to have so many high-salaried persons in this agency, if it is not shot through and through with politics, and is not a political agency? Six of the field offices, in regions where the vast majority of the complaints have arisen, are presided over and directed by Negroes. The hearings disclose that only 44 of the more than 4,000 cases over which this agency has assumed jurisdiction have ever reached Washington for determination. Eighty-five percent of the total number of cases involved Negroes, and the overwhelming majority of them have been decided in the field by the regional offices. I say that some

of the appointments are political, and I again invite Members of the Senate to look into the background of those who occupy these important positions; before they vote to perpetuate this agency.

As another evidence of the political nature of this Committee, I point to the different policies pursued in similar cases, cases which are practically identical in their nature, but which arose in different jurisdictions.

This Committee cited the Philadelphia Street Railway Co. for discrimination. The management and the labor union had a contract which had the effect of excluding Negroes from jobs as conductors or engineers. Mr. Ross and one of the Negro members of his Committee—one Webster, who I think is connected with the Pullman Car Porters Union—went to Philadelphia and conducted hearings.

The union absolutely refused to do anything about it. The Committee finally got the employer in a position where he was willing to do something, but the labor union said, "No; we have a contract, and we refuse to set aside and abrogate our contract simply because your Committee wishes us to do so."

In another case a great many railroads were cited for discrimination. The railroads had contracts with the brotherhoods which, frankly, had the effect of excluding the Negro from employment as conductor or engineer. Twenty-three railroads were cited. Although there was not a Negro conductor in the United States on any railroad line, the Committee referred to the President, and highly publicized, only the cases of 14 labor unions and 14 railroads in the Southern States which had refused to abrogate their contracts between labor and management and employ Negroes as conductors and other officers on their trains. Nothing has been done in the Philadelphia Street Railway case. That company refused, and has not yet moved, to accept a Negro as an engineer or conductor. But the southern railroads case, in which there was a similar refusal, was publicized from one end of the country to the other. This man Randolph, who is head of some committee, ran full-page advertisements publicizing the decision shortly after it was delivered, exalting the Committee's action in many daily newspapers.

The southern people and the southern railroads have been pilloried because of the contract between the railroads and the railroad brotherhoods which prevented a Negro from being employed as a conductor or an engineer. Mr. Ross testified before the committee. I asked him the question, and, evasive and clever as he was, he finally admitted that he did not know of a single railroad in the United States which had a Negro conductor. But he picked out the southern railroads in an attempt to bring to the support of his Committee all the people who are prejudiced against certain social customs which are a part of the warp and woof of southern civilization. He had the southern railroads cited to the President—although he has ignored those in other sections of the country—even



though there was not a Negro conductor or engineer on any railroad in the United States. He has ordered the cancelation of the contract with the labor unions in this order to the southern railroads to employ Negro conductors and engineers. Mr. President, it is the most nauseating political move which has ever been attempted in the United States.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHERRY. Is Mr. Ross the head of the Fair Employment Practice Committee?

Mr. RUSSELL. Yes; and it was he who testified.

As I say, the move was simply one to pillory my people and to rally to the support of the Fair Employment Practice Committee all the extreme left-wing groups in the country who are not satisfied unless they can come into the South and tear down our social order.

In the South we have segregation. It is approved by the whites and blacks alike. The white people have pride in their race, and they want the colored people to have pride in their race. We deal fairly with the colored people in our employment practices. I do not mean to say that is true in every instance any more than it would be true in other sections. But the southern railroads employ thousands of Negro firemen, brakemen, and trainmen, whereas the other railroads of the country have few. Yet this group came into the South and tried to make a gruesome example of the southern railroads by citing them to the President. I am glad the railroad brotherhoods and the southern railroads defied this organization and told it to go ahead and do its worst.

Mr. WHERRY. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. WHERRY. I am interested in the enforcement provisions. Was any finding made by the Committee in the Philadelphia Street Railway case?

Mr. RUSSELL. The Committee never determined it. It never cited it to the President. The unions refused to accept a Negro conductor. But in the southern railroads case the Committee cited the southern railroads to the President.

Please bear in mind that the Committee started with a case against 23 railroads. Involved in that case was the Pennsylvania Railroad and other railroads in this area. None of those railroads employ Negro conductors. But when the F. E. P. C. made its citation to the President, it did not cite the Pennsylvania Railroad or the Missouri, Kansas & Texas Railroad or the Baltimore & Ohio Railroad, but cited only the 14 railroads which operate in the South. I mention that as showing why the activities of this organization are abhorrent to any person, black or white, who believes in fairness.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. With his permission, I should like to read to the distinguished Senator from page 171 of the Senate subcommittee hearings. The Senator from Georgia asked the follow-

ing question in the Appropriations subcommittee:

Senator RUSSELL. Do you mean to say that the order you issued in that case did not specifically mention the positions of engineers and conductors?

Mr. ROSS. It said not to discriminate among railway engineers, conductors, firemen, and the rest. They were asked to take certain steps to begin to comply with this order, and they took no steps whatever, sir.

Senator RUSSELL. That was against both the railroads and the unions?

Mr. ROSS. It was.

As a matter of fact, as the distinguished Senator has said, the F. E. P. C. did not give the railroads time to do anything. It brought a case against the southern railroads, although some of the testimony shows that less than 10 percent of all the cases originated in the South.

Mr. WHERRY. Mr. President, will the Senator yield for a further question?

Mr. RUSSELL. I yield.

Mr. WHERRY. By what right did the Committee so proceed? That is what interests me. By what right did the Committee bring a case against the railroads? Upon what theory did it proceed? I should call the railroads a non-war industry.

Mr. RUSSELL. Of course, Mr. President, the Government is using the railroads for transportation. But some of the people who are employed by the railroads filed a complaint. They had filed them in the cases of all railroads throughout the United States.

Mr. WHERRY. By what authority?

Mr. MAYBANK. By the asserted authority of the War Powers Act.

Mr. RUSSELL. Or by authority of the so-called aggregate of powers.

Mr. WHERRY. Is that stated in the complaint? Does the Committee state in the complaint under what authority it complains?

Mr. RUSSELL. There are a number of cases. The F. E. P. C., on the assumption that it was just as legal as if it had been created by a solemn act of Congress, received complaints. The F. E. P. C., on the assumption that it had the power, as I have heretofore shown, even to override an act of Congress, and on the assumption that it was just as legal as if it had been created by an act of Congress, issued a citation. I do not believe the railroad unions ever submitted themselves to the jurisdiction of the Committee.

Of course, the issuance of the citation against the railroad brotherhoods was partly political. The C. I. O. was delighted to see the railroad brotherhoods cited. The move was a political one against both the railroad brotherhoods and all of us in the South, for recently it has become popular to criticize us and to call us Bourbons and everything else.

Mr. MAYBANK. I read from the committee hearings, at the bottom of page 171:

Senator RUSSELL. I wish you would put the order in the record.

Mr. ROSS. I think there is a distinction, Senator. I might say that on the House side we put a carefully thought-out presentation of our views in the record.

Senator RUSSELL. I want to get a copy of the specific order in this case, if you issued an order.

Then follows a three-page presentation entitled "Summary, Findings, and Directives."

Mr. WHERRY. I thank the Senator.

Mr. RUSSELL. Mr. President, I would be less than frank if I did not say that a thousand orders from a thousand such committees are not going to change the views of the southern people on the question of segregation. I have asserted that we deal more fairly than some other sections with the Negro in employment. An eloquent testimony to that fact, Mr. Ross himself asserted that less than 10 percent of the claims filed with him originated in the South.

Of course, when it came time to publicize the case, they picked the case of the southern railroads.

Mr. President, that action and the general tenor of the organization's movements in its efforts to make us conform to its ideas have done more to stir up bitterness and dissension in the South than anything else which has happened there for many years. This is unquestionably true. Disunity and dissension between the races have been created, rather than unity. Instead of expediting the war effort, the F. E. P. C. is impeding it. Its activities have had the effect of alienating many of the best friends the Negro has ever had and have caused bad feeling between the races.

Mr. REVERCOMB. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield.

Mr. REVERCOMB. This is a matter which has puzzled me a little with respect to the southern railroads case. What pressure or what method of getting at the railroad companies did the Committee have? I can understand that when it called in one who had a war contract it might threaten to cancel his contract or to have it canceled through some other agency. How could it bring pressure to bear on the southern railroads? Why did the southern railroads submit themselves to the jurisdiction of the Committee?

Mr. RUSSELL. I do not know that they ever submitted themselves to the Committee's jurisdiction. They appeared, and protested the jurisdiction.

Mr. REVERCOMB. Why did they answer or respond, if they take the position that it is illegal?

Mr. RUSSELL. Mr. President, during the last 2 or 3 years it has been very difficult for the average American citizen and businessman to differentiate between a creature of Congress and a creature of an Executive order. When he receives a citation with the seal of the United States upon it he does not go into that matter so far.

The railroads which were cited merely appeared and protested the jurisdiction. I do not think they examined all the witnesses. The labor unions did not apply for an opportunity to examine the witnesses. When the Committee issued the order against the southern railroads, canceling their contract with the railroad brotherhoods, the railroads flatly



stated they would not comply, and the labor unions took the same position. Of course, that rather nonplussed the Committee. It had no statutory authority to proceed. Its only weapon was cancellation of the contracts. In its haste and enthusiasm it had cited all the southern railroads. The contract of one railroad could not be canceled without preventing the shipment of war goods over all southern railroads. Several hundred thousand soldiers were stationed in the South, and they could not very well be moved. However, the case is still open. When it was reported to the President he did not say there was nothing the Committee could do about it. He did not undertake to enforce sanctions, but appointed an entirely new committee to consider only the case of the southern railroads. That committee is now in session, and I do not know what action it will eventually take against the southern railroads.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. REVERCOMB. Has the Attorney General advised the President, or has the President threatened to use soldiers to seize the property of the railroads which the Senator mentions?

Mr. RUSSELL. No; but in my judgment if the Congress of the United States should approve this provision and ratify all that has been done up to the present time, the next logical step would be the seizure of industrial plants and business establishments should they refuse to conform to the rulings of the Committee. I have heard that some people assert that the Committee had the right to impose sanctions of seizure of a plant under the powers which were ostensibly vested in the Committee by the statutes, by the Constitution, and by the War Powers Act.

Mr. REVERCOMB. I gathered from the reply of the Senator that the President and the Attorney General think more of the southern railroads than they do of Montgomery Ward & Co.

Mr. RUSSELL. I do not know about that. The matter arose under different circumstances, but the committee evidently thought more of the railroads operating in West Virginia than they did of the southern railroads, because they cited them. Therefore, the Senator from West Virginia might have exercised some influence with the President's Committee, an influence which was not available to the Senator from Georgia or to Senators from some of the other States.

Mr. REVERCOMB. I am sure the Senator is facetious when he suggests that the Senator from West Virginia may have exercised influence with the President on this subject.

Mr. RUSSELL. Mr. President, there is one other question to which I wish to refer. The head of the agency said before the committee that he was not interested in enforcing social equality of the races and bringing about an intermingling of them. He said that he was interested only in equality of employment. In order absolutely to contradict the assertion of the Chairman of the Committee, I wish to bring to the attention of the Senate two cases. When the Chairman of the F. E. P. C. was before the

subcommittee of the Senate Committee on Appropriations, the Senator from Maryland [Mr. TYDINGS] examined him in connection with a strike which had taken place at the plant of the Western Electric Co., at Point Breeze, Md., and stated as follows:

The men who were employed there wrote me a number of times, and there may be other angles to it, but they represented to me that that dispute between the colored people and the white people arose out of the fact that there were two sets of toilets, one for the Negroes and one for the white people, and in pursuance of a directive or order, or instructions that came from your department—

The Senator from Maryland dignified it by calling it a department—

to the management down there, a partition was torn down, so that both races used the same toilet. Then there was a strike in protest. As I got the picture, the colored people were perfectly willing that the partition be put back, provided, of course, they had as good facilities as the white workers enjoyed; the white workers were satisfied for the partition to be put back between the two toilets, but the partition was not put back, and a great many thousands of man-hours were lost over that seemingly incidental problem. Is that a correct statement of fact?

That was the way in which the Senator from Maryland presented the case. I shall not read all the language, but it seems practically undisputed that the company was perfectly willing to reestablish equal facilities of washrooms and toilets for both races, and install partitions where they had previously been installed.

The Committee issued an order that if the partitions were put back it would be an unfair employment practice. The Western Electric Co. had a contract for the manufacture of field telephones for the Army of the United States, and, because of the order which had been issued by the agency, it was subjected to a strike which lasted many weeks.

In case there be any question about it, I read into the Record the order, or opinion of the Committee.

The Committee takes the position that in the circumstances of this case, where there are frequent and temporary transfers of workers from department to department, such installing of segregated duplicate facilities cannot but lead to discriminatory employment practice.

The strike took place and lasted many weeks. The Committee never changed its rules. As nearly as I can ascertain, not based on any evidence, the War Department had to have the telephones which the Western Electric Co. was manufacturing, and the Department finally told the management to put back the partition in spite of the Committee. That is how the strike was finally settled.

There is one other case which I wish to bring to the attention of the Senate.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHITE. Before the Senator takes up another case, may I interrupt him by a question?

Mr. RUSSELL. I yield.

Mr. WHITE. Like the Senator from West Virginia [Mr. REVERCOMB] and the

Senator from Nebraska [Mr. WHERRY], I am interested in the question of the power lodged in this Committee, and the question of power asserted by the committee.

On page 178 of the printed hearings appears the following colloquy between the Senator from Georgia and Mr. Ross:

Senator RUSSELL. Did you think you had any legal right, Mr. Ross, to order a labor union and an employer to abrogate an existing contract?

Mr. Ross. That is a field where I think higher agencies have got to decide the issue. We have decided this.

Senator RUSSELL. You have decided, so far as your agency was concerned, that you do have the power to set aside existing agreements between employers and labor unions.

Mr. Ross. Yes.

Am I to understand it to be the position of Mr. Ross that the Committee has or asserts power to abrogate any existing contract, the legality of which is not questioned by any authority?

Mr. RUSSELL. There is no question about it. The Committee has assumed the power to legislate and make its own rules, and serve as a court for the trial of offenders. It also assumes the power to go to a Federal agency and have a sanction imposed upon any labor union or manufacturer which does not conform to the wishes or rules of the Committee.

Mr. WHITE. And the Committee could abrogate a contract which was not otherwise challenged as to its legality?

Mr. RUSSELL. The Committee has asserted the right to force business concerns to renegotiate contracts, not altogether for the purpose of recapturing excess profits, but for the purpose of forcing the contractor to include in the contract a clause which would give the Committee power to handle the contractor's employment and personnel problems. I do not believe there has ever been anything like it in all the history of democratic government. I have never heard of any other agency, without a line of legislation to support it, assuming any such powers as have been assumed by this agency.

Mr. WHERRY. Of course, the answer of the Senator would apply to nonwar agencies as well as to war agencies, would it not?

Mr. RUSSELL. The regulations which I have heretofore read stated that the Committee claims the power to formulate rules and regulations.

Mr. President, the case to which I have referred, involving conditions which led to a strike at Port Breeze, Md., is one of the most flagrant cases of which I know, involving an attempt to impose social views upon employers and employees.

The employer wanted to stop it by putting the partitions back. The colored people said they would be satisfied if they got equal toilet and washroom facilities with the whites. The whites said they would be perfectly willing if they got separate toilet places; so everybody was satisfied but the Fair Employment Practice Committee. They issued an order that it was a discriminatory practice to have separate though quite equal washroom and toilet facilities for the whites and blacks. You cannot wonder, Mr. President, that there are some people in



this country who still do not believe in absolute social equality—and there are great numbers of them in my section of the country—who are very apprehensive about an organization of this kind. Even if any Senators believe in social equality, even if they believe in striking down all segregation, even if they believe in the repeal of States' laws which prevent the intermarriage of the races, even if they believe in the intermingling of the races, they must admit that it should be brought about in a lawful way and not by an Executive order agency assuming all powers to bring about such results. I venture to think that before we should uphold the Fair Employment Practice Committee we should uphold and defend the Constitution of the United States.

I refer now to the other case to which I want to call the attention of the Senate, a case where the Fair Employment Practice Committee has assumed the right to dictate and have thereby caused trouble and impeded the war effort in the desire to impose their peculiar ideas of a proper social order on the people of this country. Here is a letter addressed to the chairman of the special committee of the House of Representatives to investigate executive agencies. I shall not read it all, but I desire to read the pertinent portions. It is signed by John Hawk, secretary-treasurer and first vice president of the Seafarers International Union of North America. I understand that is a strong maritime shipping union made up of men who sail the seas. I quote from the letter Mr. Hawk wrote to the chairman of the House special committee:

I consider it an urgent obligation to direct the attention of your committee to a situation which is fast developing to a point where it may hamper the delivery of the cargoes so desperately needed by our fighting forces.

I have reference to the arbitrary, dangerous, and unrealistic interpretation being applied to the President's Executive order establishing the Fair Employment Practice Committee by a pair of starry-eyed fellow travelers heading the Atlantic coast district of the recruitment and manning organization of the War Shipping Administration.

These gentlemen, Mr. Craig S. Vincent, Atlantic coast representative of the R. M. O., and Mr. Frank Pollatsek, Chief of the R. M. O., office in New York, are insisting that the President's order is being violated in connection with the hiring of ships' crews—

Listen to this, Senators—

because our union requires that white seamen shall not be forced to eat and sleep in the same quarters with Negro seamen, and vice versa.

There is no discrimination.

Under this arrangement, each race respectful of the other's rights, just as prevails in the armed forces of our country.

Messrs. Vincent and Pollatsek are trying to compel our union—

They are trying to compel the union—to abandon a sound and tested policy which has resulted in harmonious relationships between Negro and white members over a period of many years. This policy, which is supported by the more than 2,000 Negroes in our membership—

It will be noted that there are 2,000 Negro members of this union—

provides for a rotary hiring-hall system, fair and equitable in every way, which enables whites to share ships' quarters with whites and Negroes with Negroes.

There is not the slightest vestige of discrimination in the running of our union. In fact, a number of our officers are Negroes. The union lives up in every regard to our section of the President's order which calls for the elimination of discrimination with relation to hire, tenure, terms or conditions of employment or union membership because of race, creed, color, or national origin.

The Negro members of our union receive the same wages and voting privileges and enjoy precisely the same working conditions as our white members.

It is this particular section of the President's order which is being twisted and distorted by Messrs. Vincent and Pollatsek to conform to certain social reformist theories which they are seeking to experiment with at the expense of the American seaman and the war effort, and in defiance of the sober judgment of practical men who have spent the greater part of their lives in the maritime industry.

If the views of these two officials are permitted to prevail—

Note these words—

If the views of these two officials are permitted to prevail—and they have the enthusiastic endorsement of every Communist and sympathizer infesting the waterfront—in other ports throughout the country they inevitably would create a state of chaos in the maritime industry in a critical hour for our country. We would see a mass exodus of trained seamen to other jobs; we would see a flare-up of race hatreds, and we would pay for all this in costly delays in the shipping of supplies and equipment to our fighting fronts.

It should be pointed out here that the R. M. O., in the Atlantic coast district, is misrepresenting or concealing the facts when it recruits boys from American homes and then tries to compel them to depart abruptly from old-time family traditions to share eating and sleeping quarters on American ships with members of another race, particularly when such condition is not at all necessary and is disruptive of, rather than helpful to, the war effort.

The interpretation which Messrs. Vincent and Pollatsek are so zealously trying to read into the President's order is a flat violation of the statement of policy which our union signed with the War Shipping Administration on May 4, 1942. This statement of policy reaffirms article 3 of the service agreement signed between general shipping agents and the War Shipping Administration and states specifically: "If the general agent has contracts with unions and those contracts require, for example, preference of employment or use of union hiring halls, the agent would be required to procure men in accordance with the contracts."

What Messrs. Vincent and Pollatsek are trying so hard to do is to disturb our existing and harmonious policy with regard to this union's hiring-hall system in order to grind their own pet reformist ax. Apparently they have no concern over the inevitable consequences.

I ask that the remainder of the letter be printed in the RECORD.

There being no objection, the remainder of the letter was ordered to be printed in the RECORD, as follows:

The views of these men also run counter to the statement of principles governing wartime policy which was signed on December 18, 1941, following negotiations by representatives of the maritime industry, the maritime unions, and the Government.

In arriving at the statement of policy it was agreed that the hiring-hall system embodied in our contracts was to be respected and not interfered with in any way. The union agreed to waive its right to strike for the duration and that pledge has been lived up to faithfully. There have been no strikes or delays on our ships since the war started.

There have been repeated instances where the R. M. O. office in New York has refused to send Negroes to our hiring hall in order to be dispatched to our contracted ships. This resulted in these ships sailing undermanned. On other occasions when our hiring hall was closed for the night or over Sunday the R. M. O. deliberately dispatched Negroes to vessels with white crews, thereby arousing protests and unnecessary ill-feeling.

Our understanding is that the R. M. O. was set up for the explicit purpose of supplementing the unions and the operators in the supplying of seamen personnel in order to prevent delays in sailings.

This is clearly a situation which calls for a thoroughgoing investigation by your committee in the interests of the American seamen and the maritime industry.

The taxpayers' money which is being appropriated for the running of the R. M. O. office in New York could be agent to far more useful and constructive purposes. I am sure our Congress never intended to countenance the use of Government funds to promote theories and reforms inconsistent with American traditions and with plain ordinary common sense.

Yours very truly,

JOHN HAWK,  
Secretary-Treasurer and First Vice  
President of the Seafarers International Union of North America.

Mr. RUSSELL. So, we find the head of this labor union, which is composed of both whites and blacks who have long followed the practice of whites living with the whites and the blacks living with the blacks and having separate dining facilities, complaining because this Government agency is trying to force them to mix up the whites and the blacks, make them sleep together, and eat together. Mr. President, I assert in all sincerity that some of the acts of this Committee are sufficient to convince many people that they are more concerned in tearing down the existing social order and imposing their own ideals of social reform on the people of the United States than they are in any discrimination in employment or even in winning the great war in which we are now engaged. It is absolutely inexcusable to have a Government agency, created by Executive order, encouraging, under the guise of expediting the war effort, the continuance of a prolonged strike, as was done in Maryland, and interfering with the shipping on the high seas, so essential to supply the boys who have landed in Normandy, merely for the sake of imposing their own ideas of social reform and trying to bring about absolute equality and an intermingling of the races, even when the races are satisfied with the conditions that obtain, as is the case in



the instance of the Seafarers International Union.

Mr. WHERRY. Mr. President, will the Senator yield for one more question?

Mr. RUSSELL. I yield.

Mr. WHERRY. The Senator from Georgia has been very patient and I appreciate the time he has given to me and I do not wish to delay him; but I should like to have the RECORD made clear so far as I am concerned. I take much interest in the question at issue, and I am asking the question for information. I voted for the amendment of the Senator from Delaware [Mr. BUCK] which was offered several weeks ago to one of the appropriation bills by way of authorization for this agency. I feel personally that if a person is qualified and has the ability there should be no discrimination. That, however, is not the particular point in which I am now particularly interested. In this discussion I am amazed at the power this agency has assumed. In view of the statement the Senator is making, I should like to leave for a moment the question of race out of the discussion, and say that I am surprised that any agency would assume the authority to override the right of private contract. I cannot understand where the F. E. P. C. got such authority. A contract is entered into between two parties who are perfectly satisfied, but a third party outside the contract comes in and claims a higher authority to write into the provisions of the contract the terms it sees fit.

I should like to ask one more question. Do I understand in a decision of this kind made by F. E. P. C. there is no appeal? Is the decision of the agency final? The Senator mentioned that they brought several decisions to Washington—I think the Senator said 44 cases, if I am no mistake. Then he mentioned also in his remarks that they were referred to the President.

Mr. RUSSELL. Only two were referred to the President.

Mr. WHERRY. Is he the final authority on appeal? The Senator did not explain that.

Mr. RUSSELL. That is what I am complaining about, that we are asked to appropriate for an agency that has no legislative standard, and no limitation except that which may be imposed by the reformers who run it.

Mr. WHERRY. I understand that clearly, but I cannot conceive of any agency overriding a right of private contract, and if they do, I cannot conceive of a person not having his day in court, that he might set up his defense. Does the Senator mean to interpret this as meaning that when a case is finally appealed to the President, he exercises the authority, and renders a decision on appeal?

Mr. RUSSELL. The person who is cited has no right of appeal to the President. The President's proclamation says that when the individual refuses to carry out the order of the F. E. P. C., the F. E. P. C. may cite him to the President; but it does not say anything about the individual having the right of appeal to the President. It is silent on that score.

Mr. WHERRY. It is a unilateral proposition?

Mr. RUSSELL. Absolutely. Being from the South, and this agency being a political question, I know that anything I might say about it would be suspect; but as many Senators know, I have for some time been working on the question of the creation of action agencies by Executive order. For the past 3 years, even before I knew there was such an agency as this, I was trying to bring these agencies under some sort of control of Congress. At the time I started on it I never conceived that any agency created by Executive order would ever assume to possess the powers this agency claims for itself, but we have it here now, and Senators may remember, when they vote, the powers they assert, and the risk they are running by entrusting American industry and business into their hands for the future.

The agency has already asserted the right to change the laws passed by Congress relating to the making of contracts. It has already asserted the right, without any act of Congress to sustain it, to cite people before it, and to use sanctions employed by other executive agencies, canceling contracts, and the like, to enforce its decrees.

In my judgment, if we put the stamp of approval upon this nebulous scheme, which has no lines of definition, which has no standards, which has no brake except its own conscience, from which there is no right of appeal, in my judgment it will likely bring about the seizure of plants in this country that are not willing to entrust questions of promotion and employment of personnel into the hands of this F. E. P. C.

I warn Senators again, in the event the Senate is so short-sighted as to approve what this agency is doing, let no man say, "I did not think they would do it"; let no man say, "I did not vote for a bill to create it," because Senators will be voting for it; instead of voting for the powers Congress defines, they will be voting to give this committee the right to define its own powers, as well as to enforce its own decrees.

Mr. MURDOCK. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. MURDOCK. I wish to recur to the question of the creation of the committee by Executive order. If I understood the Senator, he cited a letter from the Comptroller General. I am wondering whether he takes the position that there is anything in that letter which questions the legal authority of the President to create the committee.

Mr. RUSSELL. No; it does not question his authority to create the committee, but it says that the powers given it are directive, and not mandatory.

Mr. MURDOCK. The decision of the Comptroller General was that the regulation of this committee with reference to the inclusion of a nondiscriminatory clause in contracts was directive and not mandatory, but that was all that decision of the Comptroller General decided, was it not?

Mr. RUSSELL. Of course, the Comptroller General did not pass on the le-

gality of the appointment of the Committee.

Mr. MURDOCK. That is what I wanted to have made clear; he did not do that at all?

Mr. RUSSELL. Not at all. Of course, the President has the right to appoint any committee he desires to appoint. He could appoint a committee under any name he chose. But the powers assumed by the Committee are the test as to whether or not there has been an invasion of the field of the National Legislature. It is not the mere fact of the appointment of the Committee.

Mr. MURDOCK. I wanted to have it made clear in my own mind that the Senator did not cite the letter of the Comptroller General as an authority on the illegality of the creation of the Committee.

Mr. RUSSELL. No, not on the legality of the creation of the Committee, but on the actions of the Committee after it was created and the powers it had assumed.

Mr. MURDOCK. I think all the Comptroller General decided was that the regulation was not mandatory, but merely directive.

Mr. RUSSELL. I imagine that after he was overruled by the President, as he was, the Comptroller General would be slow to proceed any further.

Mr. GEORGE. Mr. President, will my colleague yield?

Mr. RUSSELL. I am glad to yield to my colleague.

Mr. GEORGE. What the Comptroller General said was that this was an extralegal organization, that it had no congressional authority, and therefore he reached the conclusion that the setting up of a committee by the President to do certain things was a mere directory act, and not mandatory.

Mr. MURDOCK. If the Senator will yield to me, I have read the letter very carefully—

Mr. GEORGE. I care not whether the Senator has read it very carefully, the Comptroller General predicated his ruling on the one word "admittedly"—admittedly there was no legal authority for this organization.

Mr. MURDOCK. He said that admittedly there was no statutory authority for it.

Mr. GEORGE. Where is the authority?

Mr. MURDOCK. If the Senator will permit me to conclude my statement—

Mr. GEORGE. I did not want the RECORD confused in such a way.

Mr. MURDOCK. I do not want it confused, either, and that is why I rose.

Mr. GEORGE. The Comptroller General's ruling was founded on the definite predicate that there was no legal authority for this organization, and hence that its activities and what it may require anyone to do with respect to a contract were purely directive.

Mr. MURDOCK. If the Senator will yield, after listening to the distinguished junior Senator from Georgia, I took the pains to call the general counsel on the question as to the legality of the creation of the committee—and I was very specific—and his answer to me was, "Of



course, we have not passed on that question." He said, "The only question we have passed on is the one that is referred to in the letter."

Mr. GEORGE. Oh, well—

Mr. MURDOCK. If the Senator will permit me to conclude.

Mr. GEORGE. The President can appoint a committee on education, if he desires.

Mr. MURDOCK. I understand that, but the word "admittedly" is used in this case, that admittedly there is no statutory creation of this committee, hence the decisions of the Comptroller General with reference to agencies which are created by statute are inapplicable to this situation.

Mr. RUSSELL. Oh, no.

Mr. MURDOCK. I have the letter here.

Mr. RUSSELL. I do not care what the Senator has; the Comptroller General went further in his ruling and said that he was going to assume that the President's order had the validity of a statute, which I think was a very, very broad assumption; and then, in spite of giving it that much dignity, he held it was merely directive.

Mr. MURDOCK. May we take the time to read again what he says?

Mr. RUSSELL. Yes.

Mr. MURDOCK. This is the language to which the senior Senator from Georgia refers.

Mr. RUSSELL. I also referred to it in the course of my statement.

Mr. MURDOCK. The Senator read the letter, but the language to which the senior Senator from Georgia referred is this, if I understood him:

Admittedly, the matter of the inclusion in Government contracts of antidiscrimination clauses has not been the subject of specific statutory enactment. Hence, past decisions of the accounting officers with reference to contract provisions or stipulations expressly required by act of Congress are—at most—only indirectly applicable to the instant case.

That is what the Comptroller General says. He does not say anything about the legality of the creation of the Committee.

Mr. RUSSELL. Of course, the President has a right to appoint a committee on anything he wishes.

Mr. MURDOCK. That is the point I wish to raise with the Senator. The letter was not cited as an authority from the Comptroller General that the creation of the Committee by the President was illegal.

Mr. RUSSELL. No. Of course, the President has a right tomorrow to appoint a committee on fish. He has a right tomorrow to appoint a committee to abolish poverty in the United States. But if that committee then undertakes forcibly to distribute the wealth of the United States among the inhabitants of the United States, that is not a function which has been authorized by the Congress, and such procedure would be illegal.

Mr. MURDOCK. I am not quarreling with the Senator's statement about that matter. I have no quarrel with what the Senator has said concerning what the

Committee has done. The only reason I rose was to clear up the point of the legality of the creation of the Committee, and I think the Senator has very emphatically cleared it up.

Mr. RUSSELL. The President has a right to appoint a committee. He has a right to appoint any committee he wishes to appoint, but it is my contention that as Chief Executive of the United States he does not have the power to vest in the F. E. P. C. the powers which this agency attempts to assert. That is my position.

Mr. GEORGE. Mr. President, I merely wish to make it clear that the mere appointment of a certain number of men and calling them a committee is, of course, something that any executive officer may do. Even a private citizen may do it. But when we consider the powers which the Committee is trying to exercise, and which the Executive has given the Committee to exercise, and then read the Comptroller General's letter, there is no way to escape the conclusion that this agency is extralegal, and, therefore, decisions by the courts construing acts of agencies created under authority of the legislative branch of the Government have little or no effect.

Mr. RUSSELL. My complaint has not been that the appointment of the Committee per se was an illegal act. My complaint is that it was sought to vest in the Committee that was appointed powers which do not reside in the Executive, and that the Committee has even sought to exercise powers which were extraneous to the powers conferred by the President, and in excess of the powers sought to be conferred by the President.

Mr. MURDOCK. Mr. President, will the Senator yield again?

Mr. RUSSELL. I yield.

Mr. MURDOCK. Let us assume for the sake of the argument that the creation of the Committee was illegal and has no basis in law. Then I ask the question: Would the Comptroller General of the United States have the power to refuse the payment of the salaries of the personnel of the Committee?

Mr. RUSSELL. I do not know about that; I do not think that issue has been presented.

Mr. MURDOCK. Nor do I know, but that was a question in my mind.

Mr. RUSSELL. I do not know how that issue could be presented or how it could come up. Until this good day the Committee have been paid out of a fund which has been made available to the President of the United States for him to expend for emergency purposes.

Mr. MURDOCK. A fund appropriated by the Congress.

Mr. RUSSELL. Oh, yes; Congress appropriated an emergency fund for the President. We cannot absolve ourselves of that, and properly we should give the President an emergency fund. If he chooses to use it to pay committees of this kind, that is his responsibility; the responsibility is not that of Congress which appropriated the funds. But when we appropriate for the Committee directly, as we are asked now to do, we

approve every act it has done. When we stamp with the congressional seal every rule and regulation which the Committee has adopted, when we turn the Committee into the still broader fields that it is even now viewing in anticipation of invading after the Congress gives it the proposed appropriation, then it will be our responsibility, and I say to Senators now that if they vote for the proposed appropriation, if they let the Committee continue with the powers it has already asserted, there will be many times in the future when Senators will have occasion to regret their votes by reason of actions taken by the Committee.

Mr. President, there is no doubt from the criticism we hear from the news commentators, from the criticism we read in the newspapers, from the way that the people in the country are talking today, that the prestige of Congress is just about at as low an ebb as it ever has been in the history of the Republic. Many Members of the Congress have been somewhat bewildered by the mounting tide of criticism which is directed at this body. The charge has been made that there is a deliberate scheme to belittle if not to destroy the prestige and power of the people's representatives. I have resented this drive on Congress, and through the efforts I have made, feeble though they may have been, to bring back these congressional powers into the hands of the Congress, I have sought to avoid any basis for these charges. But if we are candid, Mr. President, we must admit that we are not altogether free from blame for this criticism. Since we have been put on trial we have offered a rather poor defense, and if we approve this amendment our defense will be pitiful; in fact, if we approve the amendment and legislate in this haphazard way we will plead guilty to every charge that has been made, and will stand naked and defenseless in the presence of our accusers. We have done little to demonstrate the political courage and independence in recapturing the powers of Congress which the people of the Republic have the right to expect of their sworn representatives. We will not be able forever to take refuge in excuses nor to blame on others the responsibility that lies at our own door for some of the conditions.

Mr. President, if we approve in this haphazard fashion a creature of Executive order operating in these nebulous fields and asserting the vast powers that it claims to possess, if we have not the courage to defend the legislative system of the United States by rejecting this proposal in an appropriation bill to approve these far-reaching powers, then the Congress of the United States, and more particularly the Senate of the United States, will amply deserve any criticism and all condemnation that may be heaped upon it from any source.

Mr. MAYBANK obtained the floor.

Mr. MURDOCK. I make the point of no quorum.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Utah for that purpose?



Mr. MAYBANK. I yield to the distinguished Senator from Utah for that purpose.

Mr. MURDOCK. I make the point that there is not a quorum present.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

During the calling of the roll,

Mr. MURDOCK. Mr. President, I suggested the absence of a quorum at the request of the Senator from New Mexico [Mr. CHAVEZ], who was not present in the Chamber. I have since talked with him, and he has stated that if the vote is to go over until Monday, and the debate is not to be closed, he does not desire to speak this evening. So I ask unanimous consent that further proceedings in connection with the call of the roll be dispensed with.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

Mr. McKELLAR. Mr. President, I wish to say to the Senator from Utah that the Senator from New Mexico [Mr. CHAVEZ] is engaged in a conference in the Appropriations Committee room.

Mr. CHAVEZ entered the Chamber.

Mr. McKELLAR. I see that the Senator from New Mexico has just entered the Chamber. He and I have both been busy all afternoon in a conference.

Does the Senator from New Mexico desire to speak this afternoon?

Mr. CHAVEZ. Mr. President, I am engaged in a conference.

Mr. McKELLAR. Under the circumstances, then, Mr. President, I shall move that the Senate proceed to the consideration of executive business.

Mr. CONNALLY. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONNALLY. What happened to the roll call?

The PRESIDING OFFICER. By unanimous consent, further proceedings in connection with the roll call were dispensed with.

Mr. CHAVEZ and Mr. MAYBANK addressed the Chair.

Mr. McKELLAR. Mr. President, I shall withhold my motion to proceed to the consideration of executive business.

Mr. CHAVEZ. Mr. President, it is my understanding that when the Senate takes a recess today, it will reconvene on Monday.

Mr. McKELLAR. I shall move that the Senate take a recess until 12 o'clock noon on Monday.

Mr. CHAVEZ. And the pending business will be the question which has been before the Senate this afternoon?

Mr. McKELLAR. That is true; and the Senator can speak then.

Mr. MAYBANK. Mr. President, at the conclusion of the remarks of the distinguished Senator from Georgia [Mr. RUSSELL] he yielded the floor and I was recognized. I merely wish to make one statement.

The civil-service laws and regulations of the United States Government cover the activities of the Fair Employment

Practice Committee, so far as the laws of Congress with which I am familiar can cover them. Therefore, there is no need for it. It is my opinion that this is the beginning of a drive, not for fair employment practices in the Government agencies, but to take over the employment and promotion of employees in all private agencies and private business in all the States in the United States of America.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4204) making appropriations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes, and that the House still further insisted upon its disagreement to the amendment of the Senate numbered 10 to the bill.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4414) making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1945, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 31 to the bill, and concurred therein; that the House receded from its disagreement to the amendment of the Senate numbered 35 to the bill and concurred therein with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendment of the Senate numbered 34 to the bill.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4899) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1945, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARE, Mr. TARVER, Mr. THOMAS of Texas, Mr. ANDERSON of New Mexico, Mr. ENGEL of Michigan, Mr. KEEFE, and Mr. H. CARL ANDERSEN were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a joint resolution (H. J. Res. 298) making appropriations for grants to States under the Social Security Act, in which it requested the concurrence of the Senate.

#### HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 298) making appropriations for grants to States under the Social Security Act, was read twice by its title and referred to the Committee on Appropriations.

#### EXECUTIVE SESSION

Mr. McKELLAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. McFARLAND in the chair) laid before the Senate messages from the President of the United States, which were referred to the appropriate committees or ordered to lie on the table.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. GEORGE, from the Committee on Finance:

A. Miles Pratt, of New Orleans, La., to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La. (Reappointment.)

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### THE NAVY

The legislative clerk read the nomination of William S. Pye to be vice admiral on the retired list, when retired on July 1, 1944.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. McKELLAR. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

That concludes the calendar.

Mr. McKELLAR. I ask that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

#### INTERNATIONAL AGREEMENT FOR THE REGULATION OF WHALING

Mr. WHITE. Mr. President, I invite attention to the fact that there are on the Executive Calendar two treaties reported from the Foreign Relations Committee. I wonder if the chairman of the committee desires to proceed with their consideration this afternoon?

Mr. CONNALLY. I shall be very glad to have the Senate proceed with the consideration of the treaty with respect to which the Senator from Maine acted as chairman of the subcommittee.

Mr. WHITE. Mr. President, there is on the Executive Calendar Executive D, Seventy-eighth Congress, second session, a protocol signed at London on February 7, 1944, which amends in certain particulars an existing international agreement for the conservation of whales and the regulation of the whaling industry. I ask that it be laid before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the protocol, Executive D (78th Cong., 2d session), a protocol signed at London









tinues to hold such position it shall be classified in grade 9 of the clerical, administrative, and fiscal service under the Classification Act of 1923, as amended."

Mr. O'MAHONEY (for Mr. NYE) also submitted an amendment intended to be proposed by Mr. NYE to House bill 4861, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

#### INVESTIGATION OF HYDROELECTRIC POWER DEVELOPMENT AND IRRIGATION PROJECTS—LIMIT OF EXPENDITURES

Mr. MCFARLAND (for himself and Mr. HATCH) submitted the following resolution (S. Res. 313), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the limit of expenditures of the Committee on Irrigation and Reclamation under Senate Resolution 155, Seventy-eighth Congress, agreed to June 26, 1943, as amended by Senate Resolution 304, Seventy-eighth Congress, agreed to June 5, 1944 (relating to an investigation with respect to the need for development of irrigation projects and with respect to the supply and distribution of hydroelectric power), is hereby increased by \$10,000.

#### INVESTIGATION OF CERTAIN ACTIVITIES OF SECURITIES AND EXCHANGE COMMISSION AND THE POST OFFICE DEPARTMENT

Mr. PEPPER (for himself and Mr. ANDREWS) submitted the following resolution (S. Res. 314), which was referred to the Committee on the Judiciary:

*Resolved*, That the Senate Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized, and directed to make a full and complete study and investigation of the activities of the Securities and Exchange Commission and Post Office Department, or any representative thereof, with a view of determining whether (a) said agencies, or their representatives, are exceeding the power and authority vested in them; (b) whether the activities of said agencies, through their representatives, are crippling and hampering the effectiveness of the Municipal Bankruptcy Act, as amended, heretofore enacted by Congress; and (c) whether or not the activities of said agencies, through their representatives, are unfairly resulting in undermining the credit of the taxing units of the State of Florida.

The committee shall report to the Senate as soon as practicable the result of its study and investigation, together with its recommendations.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress of the United States, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures as it deems advisable. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government. The expenses of the committee, which shall not exceed \$ shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

#### AMERICA'S OPPORTUNITY—ADDRESS BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD an address entitled "America's Opportunity," delivered by him at the fifty-seventh annual convention of the Oregon Newspaper Publishers' Association, at Eugene, Oreg., June 17, 1944, which appears in the Appendix.]

#### DEVELOPMENT OF THE ST. LAWRENCE RIVER—ADDRESS BY SENATOR AIKEN

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD an address on the development of St. Lawrence River, delivered by Senator AIKEN before the Lions and Rotary Clubs, of Rutland, Vt., on May 8, 1944, which appears in the Appendix.]

#### ADDRESS BY SENATOR WHEELER AT ECONOMIC LEADERSHIP CONFERENCE, NEW YORK CITY

[Mr. WHEELER asked and obtained leave to have printed in the RECORD the address delivered by him at the Economic Leadership Conference and dinner, sponsored by the American Tariff League, at New York City, on June 15, 1944, which appears in the Appendix.]

#### ADDRESS BY WHEELER McMILLEN AT ECONOMIC LEADERSHIP CONFERENCE DINNER, NEW YORK

[Mr. WHEELER asked and obtained leave to have printed in the RECORD the address delivered by Wheeler McMillen, editor in chief, Farm Journal, at the Economic Leadership Conference and dinner, New York City, on June 15, 1944, which appears in the Appendix.]

#### A SERIOUS REVERSAL ON THE FARM FRONT—ARTICLE BY SENATOR LA FOLLETTE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article entitled "A Serious Reversal on the Farm Front," written by Senator LA FOLLETTE and published in the Progressive of June 19, 1944, which appears in the Appendix.]

#### WHAT SHALL WE DO ABOUT OIL?—ADDRESS BY J. C. HUNTER

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an address entitled "What Shall We Do About Oil?" delivered by J. C. Hunter, of Abilene, Tex., which appears in the Appendix.]

#### PLATFORM ISSUES; TARIFF AND TRADE, AND FOREIGN POLICY—ARTICLES BY WENDELL WILLKIE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD two articles on platform issues, one entitled "VI. Tariff and Trade," and the other "VII. Foreign Policy," written by Wendell Willkie, and published in the Washington Post of June 17 and 18, respectively, which appear in the Appendix.]

#### SERVICE OF DISABLED AMERICAN VETERANS ORGANIZATION—ADDRESS BY WILLIAM E. TATE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a radio address entitled "Why Disabled Veterans Need D. A. V. Service," delivered by William E. Tate, special claims officer, Disabled American Veterans, on May 29, 1944, which appears in the Appendix.]

#### WANTED: 3,000,000 JOBS—ARTICLE BY REX L. NICHOLSON

[Mr. MURDOCK (for Mr. MCCARRAN) asked and obtained leave to have printed in the RECORD an article entitled "Wanted: 3,000,000 Jobs," written by Rex L. Nicholson, managing director, Builders of the West,

Inc., of San Francisco, which appears in the Appendix.]

#### IRRIGATION AND NAVIGATION IN THE MISSOURI RIVER BASIN—EDITORIAL FROM ST. LOUIS GLOBE-DEMOCRAT

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an editorial entitled "T. V. A. Not the Answer," published in the St. Louis Globe-Democrat of June 12, 1944, which appears in the Appendix.]

#### DISUNITY AT HOME—LETTER FROM FRANK COLBY TO HIS SON

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD a letter on the subject of disunity at home, written by Frank Colby to his son and published in the Washington Sunday Star of June 18, 1944, which appears in the Appendix.]

#### APPROPRIATIONS FOR THE LEGISLATIVE BRANCH AND THE JUDICIARY—CONFERENCE REPORT

Mr. TYDINGS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4414) making appropriations for the legislative branch and for the Judiciary for the fiscal year ending June 30, 1945, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 30 and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29 and agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,985,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 31, 34, and 35.

MILLARD E. TYDINGS,  
THEODORE FRANCIS GREEN,  
FRANCIS MALONEY,  
STYLES BRIDGES,  
HAROLD H. BURTON,

*Managers on the part of the Senate.*

EMMET O'NEAL,  
JOE HENDRICKS,  
ALBERT GORE,  
NOBLE J. JOHNSON,  
WALTER C. FLOESER,  
HARVE TIEBOTT,

*Managers on the part of the House.*

Mr. TYDINGS. Mr. President, I move that the conference report be agreed to.

The motion was agreed to.

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4414, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,

June 16, 1944.

*Resolved*, That the House recede from its disagreement to the amendment of the Senate numbered 31 to the bill (H. R. 4414) making appropriations for the legislative branch and for the Judiciary for the fiscal year ending June 30, 1945, and for other purposes, and concur therein.

That the House recede from its disagreement to the amendment of the Senate numbered 35 to said bill, and concur therein with



an amendment, as follows: In lieu of the sum inserted by said amendment insert "\$563,500."

That the House insist upon its disagreement to the amendment of the Senate numbered 34 to said bill.

Mr. TYDINGS. Mr. President, I move that the Senate concur in the amendment adopted by the House to Senate amendment No. 35.

Mr. WHITE. Will the Senator give us a brief explanation?

Mr. TYDINGS. Certainly. There is a difference of \$12,000.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Maryland.

The motion was agreed to.

Mr. TYDINGS. Mr. President, I move that the Senate recede from its amendment numbered 34, to which the House objected.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Maryland.

The motion was agreed to.

#### CONTINUANCE OF FUNDS FOR COMMITTEE FOR CONGESTED PRODUCTION AREAS IN THE CHARLESTON (S. C.) AREA

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I have received from J. Dougal Bissell, president of the Charleston Chamber of Commerce, requesting that funds be provided to continue the operation of the Committee for Congested Production Areas. The funds to continue the operation were omitted from the Budget estimate, but an amendment has been offered to the pending bill by the Senator from Michigan [Mr. VANDENBERG] to provide the necessary funds. Thousands of newcomers to the industrial war plants in the Charleston area have been greatly aided by the Committee for Congested Production Areas. Those who work in that area express their appreciation for what has been done for them and hope that the work will be continued. The same is true of the Charleston businessmen.

The letter expresses high regard for Mr. J. Clark Johnstone, the committee's representative assigned to the Charleston area. I do not know Mr. Johnstone personally. I wish to say that I hope the amendment will be adopted so this very fine wartime activity in the congested Charleston area may be continued.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CHARLESTON CHAMBER OF COMMERCE,  
Charleston, S. C., June 13, 1944.

Hon. BURNET R. MAYBANK,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR MAYBANK: We have the information that funds to continue the operation of the Committee for Congested Areas was omitted from the Budget.

You probably are aware that the committee's representative assigned to the Charleston area, Mr. J. Clark Johnstone, has rendered very helpful services and the board of directors at our last regular meeting unanimously recommended that sufficient funds be

allocated to this committee to continue the work as long as the need exists.

Cordially yours,

J. DOUGAL BISSELL,  
President.

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the junior Senator from Georgia [Mr. RUSSELL] to strike out on page 10, lines 3 to 16, inclusive, under the heading, "Committee on Fair Employment Practice."

Mr. EASTLAND. Mr. President, the junior Senator from Georgia [Mr. RUSSELL] made a very outstanding speech on Friday last concerning the pending amendment, and I feel that it is in reality unnecessary further to argue the question. No sectional issues are involved here. The Chairman of the Committee on Fair Employment Practice has testified that only 10 percent of the complaints arose in the South; but I submit, Mr. President, that the questions involved go to the very roots of our system of government, and if this organization, with the power that it claims, and with the power that it exercises, is ratified by the Congress of the United States by the passage of this appropriation, then the United States is no longer a constitutional democracy, but our Government is a dictatorship in name and in fact.

The Chairman of the Committee, Mr. Ross, testified before the special Smith committee of the House that there was no legislative authority for the setting up of the Fair Employment Practice Committee, that it was set up solely by Executive order under the war powers of the President. That is by the war powers which are alleged to be granted to the Executive by the Constitution. In this state of the case it is certainly important to examine the President's war powers to see if the President of the United States had the power under the Constitution to set up this Committee, and to authorize it to engage in activities in the fields that were assigned to the Committee. The war powers of the President are set out in section 2 of article II of the Constitution of the United States, which provides:

The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

In that section we find in the Constitution the description of the war powers of the President.

The President—

And I read again—

shall be Commander in Chief of the Army and Navy of the United States and of the

militia of the several States when called into the active service of the United States.

These are the war powers of the President. These are the war powers conferred upon the Executive by the Constitution. These powers are in addition to the war powers which Congress confers by statute. However, there is no statutory authority by the Congress to create this committee.

The Congress of the United States is also granted certain war powers in article 1 of the Constitution, and I read them:

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

To raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years.

It will be noted that it is the duty of the Congress to raise and to support armies of the United States. Further it is the duty of Congress—

To provide and maintain a Navy.

To make rules for the government and regulation of the land and naval forces.

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

And further, the Congress of the United States is authorized later in that section of article I of the Constitution to legislate to bring those things about.

The question we face today is that of comparing the war powers of the Congress of the United States with the war powers of the Chief Executive of the United States to see who controls the civilian activities of the United States in time of war, who controls the civilian activities of the American people, the President of the United States or the Congress.

Several years ago a very noted case was decided by the United States Supreme Court. I refer to *Fleming v. Page* (9 How. 603, 13 Law Ed. 276). In that case Chief Justice Taney, in discussing whether Tampico was to be considered annexed as a part of the United States while occupied by American troops in the Mexican War, said:

But this can be done only by the treaty-making power of the legislative authority, and is not a part of the power conferred upon the President by the declaration of war. His duty—

Now, mark this—

His duty and his power are purely military. As Commander in Chief he is authorized to direct the movements of the naval and military forces placed by law at his command, and to employ them in the manner he may deem most effectual to harass, conquer, and subdue the enemy.

But the Supreme Court of the United States, Mr. President, has held that the



war powers of the President conferred upon him by the Constitution of the United States were purely military, to command the Army and Navy of this country, and to employ them in the manner that he may deem most effectual to harass and conquer and subdue the enemy. The Chief Executive without legislative authorization has no power in time of war over the civilian war effort.

In the case of *Ex parte Milligan* (4 Wall. 2, 18 Law Ed. 281) counsel for Milligan put his finger on the war powers of the President, and I quote a view that was adopted in that noted case by the Supreme Court of the United States:

To command an army, whether in camp or on the march or in battle, requires the control of no other persons than the officers, soldiers, and camp followers. It can hardly be contended that, if Congress neglects to find subsistence, the Commander in Chief may lawfully take it from our citizens. It cannot be supposed that, if Congress fails to provide the means of recruiting, the Commander in Chief may lawfully force the citizens into the ranks. What is called the war power of the President is nothing more than the power of commanding the armies and fleets which Congress causes to be raised. To command them is to direct their operations.

That was the doctrine enunciated by the Supreme Court of the United States in that noted case. The war power conferred by the Constitution upon the President of the United States as Commander in Chief is nothing more than the power of commanding the armies and fleets of this country and the camp followers who follow that army in its march of conquest.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. HOLMAN. I take it, then, that it is the Senator's contention that there is a limit to the war powers of the President of the United States.

Mr. EASTLAND. There certainly is.

Mr. HOLMAN. That is encouraging.

Mr. EASTLAND. Mr. President, the war powers of the President of the United States unless granted by act of Congress are purely military and do not extend to giving him control of the civil life of this country behind the lines. The war powers of the President of the United States do not, under these decisions, give him authority to direct the civilian war effort behind the lines of combat. They do not give him control of American industry or of American labor. Control of these is vested in the Congress. Under the Constitution the war powers of Congress are superior, in their fields, to the war powers of the President. I read the war powers which the Constitution has placed in the Congress:

To provide for the common defense.

To provide and maintain a navy.

To make rules for the government and regulation of the land and naval forces.

To declare war.

To grant letters of marque and reprisal, and make rules concerning captures on land and water.

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

The Congress is authorized "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

Frequently as I said the Congress of the United States, by legislation, delegates war powers to be exercised by the President, as we did when we enacted the Smith-Connally Act. But in this instance there is no legislative authority for the creation of this agency. The Chairman of this Committee frankly testified to that effect before the Smith committee in the House of Representatives. The agency is purely the creation of the executive branch of the Government. In the first place, the President of the United States has no legal or constitutional authority to establish this agency.

Mr. President, as the Senator from Georgia so well showed on Friday last, here is an agency set up by Executive order which has organized itself into a quasi court which assumes the power to subpoena American citizens before it, which has assumed the power to try them, which has assumed the power to inflict punishment—punishment which comes very near to being blackmail, which coerces and intimidates the business interests and labor unions of the United States, and all by directive.

There are additional powers which the Committee claims to have. The Senator from Georgia showed that under the Constitution, inferior courts—and in reality this Committee is a quasi court—are created by the Congress of the United States and not by the Chief Executive. That this agency has not been created by Congress, but by Executive order. That the agency claims the further power of nullifying contracts, some of which have been negotiated under the power of the Congress of the United States—nullifying contracts which the Supreme Court of the United States has no authority to nullify or to disregard, but which the courts of our country are under a solemn obligation to uphold. The Committee has further assumed the power to repeal laws passed by the Congress of the United States.

Let us consider the Southeastern Railroad case. A few years ago Congress passed the Railway Labor Act. It was a great charter which guaranteed to railroad workers the right to organize and the right to bargain collectively. To bargain by representatives of their own choosing. In that act the Congress of the United States provided that when any class of railroad labor, such as fireman, should choose an organization as its bargaining agent, that organization should be the sole bargaining agent for every fireman or every worker of that class. The Supreme Court of the United States, in construing that act—and I quote from the decision in the case of the *Virginian Railway v. System Federation* (300 U. S., 515), held that—

When railroad labor selected its bargaining agent, it was the duty of the railroads to bargain with that agent, and with no other.

Subsequently, a majority of the railroad firemen selected the Brotherhood of Locomotive Firemen and Enginemen as their representative. They came to the city of Washington and negotiated an agreement. The agreement was negotiated under the Railway Mediation Board which was set up by Congress for that purpose. The law provides that that agreement shall be binding. The Congress of the United States said that such an agreement, when negotiated, should be binding upon all parties. The agreement known as the "Washington agreement" was concluded in 1941. In December of last year the F. E. P. C. ordered the Brotherhood of Locomotive Firemen and Enginemen and the railroads to nullify that agreement. I read from section 2 of that order:

The Committee directs that the carriers referred to herein and the Brotherhood of Locomotive Firemen and Enginemen forthwith—

Note the use of the word "forthwith"—

set aside the agreement dated February 18, 1941, and known as the Southeast Carriers Conference Agreement or Washington agreement.

What kind of government is this? This Committee ordered the railroads and the labor organization forthwith to nullify the agreement they had reached under a law of Congress, an agreement which a statute enacted by the Congress declared would be valid and binding. Mr. President, that is an attempt by this agency to repeal one of the great laws passed by Congress for the protection of American labor. The Committee actually claims the authority to repeal the laws of the land. There is not a court in the United States with power to nullify that contract. The Supreme Court of the United States could not order the parties to nullify the contract or to set it aside. In fact it is the duty of the courts to uphold that contract. But here is an agency created by Executive order, with no authority of Congress behind it, which comes in and tells those parties forthwith to set aside that agreement, and to negotiate a new agreement under terms and conditions which the agency specifies should go into the contract.

Then let us consider the Philadelphia Transit case. There was an agreement between the labor organizations and the employers which set up certain terms and conditions which were valid and binding on the parties. But this agency came in and ordered those parties forthwith to nullify that agreement, and to negotiate a new agreement, and further to incorporate terms and conditions in the new agreement which this Committee said should be incorporated therein. The employer and the union were ordered to nullify an agreement which was binding and enforceable, at the complaint of one of the parties thereto, in any court of jurisdiction in this country. In other words, this communistic Committee has assumed the authority to nullify contracts. Can anyone tell me that when the Congress places its stamp of approval



on such an agency as this one Congress is not placing its stamp of approval upon a dictatorship in the United States? But in the railroad case how were they to enforce the Committee's directive?

The Senator from West Virginia [Mr. REVERCOMB] asked the Senator from Georgia [Mr. RUSSELL] how the F. E. P. C. or the Federal Government could enforce its order to the railroads. This man Ross, the head of the Committee, went to New York last fall, and there was interviewed by the Daily Worker, the official Communist Party organ. Ross said, in answer to a question, that President Roosevelt, acting under his wartime powers, and as ultimate authority in the enforcement of the Fair Employment Practice Committee directives, can take over and operate railroads, provided those railroads refuse to obey the directives of this agency.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. What is the date of that statement?

Mr. EASTLAND. December 22, 1943.

Mr. McCLELLAN. Who was then head of the F. E. P. C.?

Mr. EASTLAND. Mr. Malcolm Ross, the present Chairman.

Mr. McCLELLAN. Did he give that statement to the press?

Mr. EASTLAND. No; not to the decent press—to the Communist press. I submit he was in his element in the city of New York.

Mr. President, the fifth amendment to the Constitution provides that there shall be no taking of private property without due process of law. But what does that matter to this agency? It attempts to nullify contracts protected by the courts of this country. A threat was made by the Chairman of the Committee that the President of the United States, to enforce the Commission's edict, would take over and operate the railroads. That would be dictatorship. If the Congress cannot put an end to such procedure, Mr. President, I submit, in all sincerity, that our Republic is dead.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. While I do not believe that any Member of the Senate agrees that this Committee is vested with any such authority or power, even under the directive of the President creating it, as is contended by the Committee, the information which the Senator from Mississippi has just given with respect to the character of the statement issued by the head of this Committee to the Communist press clearly indicates to the people of this Nation what the Committee will do, and what it intends to do if it can obtain power to do it. Just as certainly as we place our legislative stamp of approval upon this measure, we set in motion a very dangerous procedure, and establish in the hands of the irresponsible a power dangerous to the future of America.

Mr. EASTLAND. I thank the Senator from Arkansas.

Mr. President, the Senator from Georgia has stated that many of the high officials of this agency are members of

subversive organizations. Within a few minutes I shall read into the RECORD the names of the organizations with which these men are identified, and their background. There is no doubt that the hearts of those men today march under the red flag of communism. There is no doubt in my mind that they believe in the doctrine of communism, and that they are followers of Karl Marx. I wish to state their background at this point, because it is important in connection with the subject with which I am dealing.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. OVERTON. Before the Senator reaches that phase of the question under consideration, I should like to ask him to give me his opinion with reference to the assumed or actual powers of this Committee. From the statement made by the Senator from Georgia I understood that the Committee exercises power and authority of preferring charges.

Mr. EASTLAND. That is correct.

Mr. OVERTON. Therefore, it acts in the capacity of a grand jury and a prosecuting attorney.

Mr. EASTLAND. The Senator is correct.

Mr. OVERTON. The Committee also resolves itself into a court and passes on the question of whether, in the Committee's belief, there has been any violation of its pronouncements and regulations. It passes upon the charges which the Committee itself has preferred. Am I correct in my understanding?

Mr. EASTLAND. The Senator is correct.

Mr. OVERTON. I further understand that no appeal is provided from any decision made by the Committee. There is no provision in the Executive order for an appeal. Of course, none has been made by Congress, because no act of Congress has been passed with reference to the Committee. Therefore, when it renders a decision the Committee renders it upon its own charges. Its decision is final, from which no appeal lies. Is that correct?

Mr. EASTLAND. The Senator is correct.

Mr. OVERTON. I thank the Senator.

Mr. EASTLAND. Mr. President, I have stated that the head of this Committee made a statement to the Communist press in the city of New York that the President of the United States could take over the railroads and operate them because the Committee's order had been violated. In that regard I further state that, in substance, Ross so testified before the Smith committee of the House of Representatives. He said that the final source of authority was the President, and that the President could take over private business in this country and operate it if a violation of the orders of this Committee had taken place. It was contended by some Members of this body that the President of the United States had no authority to take over a war plant in the case of a strike which had stopped the production of vital war materials. I do not believe he had such authority in the absence of

congressional authorization. We recognized the President had no such authority because we specifically granted it in the Smith-Connally Act. We recognized then that the right of the President to take over plants in the event of a strike before congressional authority had been given him, was illegal.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MURDOCK. Is it the Senator's statement that while the Smith-Connally bill was being debated on the floor of the Senate there was any implication that the previous actions of the President in taking over property had been illegal?

Mr. EASTLAND. That is my recollection.

Mr. MURDOCK. Does the Senator recall an amendment which was offered upon that very point, and voted down on the ground that the Senate did not wish to take any action which would imply that the President had acted illegally?

Mr. EASTLAND. That is correct. We did not deem it wise to take action which would imply that the President's acts in the premises were illegal.

Mr. MURDOCK. Yes.

Mr. EASTLAND. But, as I remember, there was considerable contention on this floor that taking over plants by the President without congressional mandate, was illegal.

Mr. MURDOCK. I am sure the Senator is correct in what he says. But the ultimate action of the Senate, which I believe was controlling, was not to adopt the amendment, because we did not wish to tell the people of the country that we thought that what the President had done previous to the passage of the act was illegal.

Mr. EASTLAND. However, we did specifically grant authority to the President in the Smith-Connally Act to take over plants in case of a discontinuance of operations due to labor disputes.

Mr. MURDOCK. The Senator is correct.

Mr. EASTLAND. If the President already had such authority, why was it necessary for Congress to write it into the law?

Mr. MURDOCK. I think it was because the President had power which was derived directly from the Constitution. But that does not mean that Congress cannot implement such authority by legislative enactment. Certainly the Senator does not take the position that, without the Smith-Connally Act, the President could not take over a plant in the United States if, in the successful prosecution of the war, in his judgment it was necessary to take over the plant?

Mr. EASTLAND. I certainly do take that identical position, and Congress recognized it when we granted the authority in the antistrike bill.

Mr. MURDOCK. I disagree with the Senator.

Mr. CHAVEZ. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield to the Senator from New Mexico.

Mr. CHAVEZ. When the Montgomery Ward case arose the opinion was ex-



pressed that the authority for taking over the Montgomery Ward plant at Chicago was based upon the Smith-Connally Act; but the official interpreter of the laws of the United States stated that, irrespective of the Smith-Connally Act, the President still had authority to take over the Montgomery Ward plant.

Mr. EASTLAND. Who stated that?

Mr. CHAVEZ. Attorney General Biddle.

Mr. EASTLAND. Mr. President, I do not desire to discuss the Attorney General's opinion.

Let me ask what other powers does this agency claim. Today it exercises the power to tell business whom it shall hire, who shall work and who shall not work, and whom it shall promote. By exercising such powers this Government agency substitutes its own judgment as to the qualifications of a given worker for the judgment of the management, the men who are responsible for the operation of the business. This power deprives management of the control of its business. Management cannot longer pass upon the efficiency of an employee. This means the taking over of American industry by a Government board. This has been the Communist aim all the time. That is what the C. I. O. and what Mr. Sidney Hillman have longed for, namely, to deprive management of the control of the business of the country and set themselves up instead.

Mr. President, when a governmental agency exercises the power to tell any business whom it shall hire, when it exercises the power to tell any business who shall work in the industry and whom it shall promote, when it exercises the power to say what worker is qualified for a certain job, then management has been destroyed, and that is what the Communist Party and the C. I. O. have been interested in and what they have been attempting to do for many years. Furthermore, with such power in a Government agency the right of free enterprise in America is dead, and, so far as labor unions are concerned, the right of the working men to bargain collectively to enter into binding contracts has also been destroyed.

As I have stated in discussing such claimed power, it is certainly important to look behind the scenes in order to ascertain the background of the men who exercise it. Who are the men who constitute this Committee and administer its functions? But, first, how does the Committee enforce its decrees? First by intimidation and coercion, by calling on other governmental agencies to cancel war contracts between a business complained of and the Government of the United States. It even goes further than that, and, as the distinguished junior Senator from Georgia [Mr. RUSSELL] showed on Friday, the agency even claims power over nonwar industry in this country by intimidation and coercion and by the claimed power to take over private business and operate it in violation of the Constitution of the United States. This is the way its decrees are enforced and this is purely dictatorship.

Mr. President, who is it to whom the Congress is asked to grant this power

by validating this agency, by making this appropriation? I shall cite some facts showing the background of these people as compiled by the very distinguished Member of the House of Representatives from the first district of my State. The committee is composed of Malcolm Ross, Chairman, Boris Shishkin, Milton P. Webster, Sara Southall, John Brophy, Charles Horn, and Charles H. Houston.

Who is John Brophy? Brophy has a long list of affiliations with the Communist-front activities. In August 1938 he wrote an article for a publication called Equal Justice, the official organ of the International Labor Defense, which was cited by Attorney General Biddle as subversive. In 1937 Brophy sent greetings to the National Negro Congress, which organization was also branded by the Attorney General as subversive. He has been affiliated with a large number of other activities which have been branded as subversive by the Dies House Committee on Un-American Activities.

Another member of the committee is Boris Shishkin, who was connected with the Washington Book Shop, located at Seminary Hill, Alexandria, Va., according to the records of the Committee on Un-American Activities. The Washington Book Shop is known to be a Communist-front organization, and was also branded by the Attorney General of the United States as subversive.

Another member of the committee is Charles H. Houston. Houston has a long record of affiliations with Communist-front movements which have been branded as subversive by the Attorney General of the United States as well as by the House Committee on Un-American Activities.

Now take the operational section. The director of operations is Will Maslow. Maslow has been connected with the Consumers National Federation, which was cited as being subversive by the House Committee on Un-American Activities in its report of March 29, 1944. He has also been a contributor to a publication called Health and Hygiene, which was founded as an extension of the Communist Daily Worker.

Another member is Emanuel Bloch, who is shown by the records of the House Committee on Un-American Activities to have addressed the Citizens Committee to Free Earl Browder on March 16, 1942, which committee was cited as subversive by the Attorney General of the United States. Bloch was also one of the sponsors of another organization, the National Federation for Constitution Liberties, which was found to be subversive by the Attorney General of the United States. Another member of the operational section is Eugene Davidson, who has been connected with at least four activities which have been branded as subversive by the Attorney General of the United States.

I come now to the New York regional office. It is to the regional offices, the records show that those against whom complaints have been filed must appeal, or before which they must appear whenever interfered with or imposed upon by the Fair Employment Practice Committee.

Here is the personnel of that office. The head is Edward Lawson, who signed the Communist Party petition in New York in 1942, according to the records of the House Committee on Un-American Activities, and was a participant in the All-Southern Negro Youth Conference, which was affiliated with the National Negro Conference, which latter organization was cited as subversive and communistic by the Attorney General of the United States.

The other examiner is Samuel Risk. Risk was also a signer of the Communist petition in New York in 1939-40, according to the records of the House Committee on Un-American Activities.

Then there is the Philadelphia regional office. The head of that office is a man named James G. Fleming. According to the report of the House Committee on Un-American Activities, he is a guest lecturer of the Philadelphia School of Social Science and Art, which is a successor to the Philadelphia Communist Workers School.

Then there is the Washington regional office. One of the members is Theophilus J. Houston. Houston is listed by the Committee on Un-American Activities as a discussion leader of the National Negro Congress, which has been cited as subversive by the Attorney General of the United States.

Now we come to the Cleveland regional office. The regional director is William T. McKnight. McKnight is listed as being a member of the Lawyers' Guild, which was cited as subversive by the House Committee on Un-American Activities in its report of March 29, 1944.

Then there is Lillian B. Walker, who is listed as one of the signers of the petition of the Communist Party in Ohio in 1940, when Earl Browder was running against President Roosevelt. Here is a Communist who in 1940 supported Earl Browder against the present occupant of the White House.

Mr. CHAVEZ. Mr. President—

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). Does the Senator from Mississippi yield to the Senator from New Mexico?

Mr. EASTLAND. I yield.

Mr. CHAVEZ. I believe I could agree with the Senator from Mississippi in many instances on the record he has just announced to the Senate if we could only be consistent. We all know that Mr. Browder ran for President of the United States against President Roosevelt in 1940, but we also know that within the last few months Mr. Browder has endorsed the President of the United States. Has the Senator heard a single Democrat disown that endorsement?

Mr. EASTLAND. Mr. President, that is strictly a political question. What I am discussing is the communistic background of people who attempt to exercise the life-and-death sentence over American industry.

Mr. CHAVEZ. Will the Senator yield again?

Mr. EASTLAND. I yield.

Mr. CHAVEZ. I heard the Senator state that practically every member of the President's Committee on Fair Employment Practice, as he read the list,



has been declared subversive by the Attorney General of the United States.

Mr. EASTLAND. That is correct.

Mr. CHAVEZ. If that be the case, why does the Senator feel that the President would appoint them to positions such as these?

Mr. EASTLAND. The President's motives in appointing these people are his own. I am at a loss to understand the ability of these Communists to secure important Federal appointments. However, I know nothing about the President's motives and would not make a statement as to what his motives were in making the appointments. I think they are bad appointments, terrible appointments, and I am not going to cast a vote to appropriate one dollar to enable them to carry on their nefarious designs upon American industry and labor, and, further, I am not going to cast a vote to give those people control of American industry and the legitimate labor unions of this country.

Mr. CHAVEZ. I agree with the Senator that they are bad appointments, but he is not after the appointees; he is trying to reach the fundamentals of the appropriation which is designed to assure fair employment practices, irrespective of who the personnel might be carrying out the functions of the committee.

Mr. EASTLAND. I understand.

Mr. CHAVEZ. I would not appoint a single one of these people.

Mr. EASTLAND. These Communists—and I state advisedly that they are Communists—if given this appropriation, will use it, in my judgment, to displace management and control American industry, and it is my responsibility as a Senator from the State of Mississippi, as I conceive my duty, to protect the business and labor of this country from communism.

Now I come to the Chicago office. One of the members is Minnie L. Bell, colored, who is listed as being a member of the American League for Peace and Democracy, which is known to be a Communist front organization, and which was cited as being subversive by the Attorney General of the United States.

Mr. President, there are people who, to say the least, are members of subversive organizations, organizations branded as subversive and un-American by the Attorney General of the United States, who administer this program. The Congress of the United States is asked to place its stamp of approval upon them, and to give them the right to say who shall work, who shall not work, and who shall be promoted, in American industry. This Committee can, as I stated, substitute its judgment for the judgment of the management of a factory as to the qualifications of a certain worker for a certain job. That is the perfect avenue for Communist infiltration and ultimate domination of the trades-union movement of America, for historically labor and management are both parts of a whole and make up the great industrial empire of the Nation.

Behind this whole program, the driving force, the crowd that is putting on the heat for its passage, is the C. I. O. I understand that John L. Lewis recently

stated that Sidney Hillman and Philip Murray must play ball with communism or die, and I intend to read Mr. Hillman's record, as compiled from an authoritative source, to show the Congress of the United States the danger here, because in the last analysis Hillman will have great and controlling influence over this Committee and over the administration of the program.

Hillman was born on March 23, 1887, in Zagare, Lithuania, where his father was a merchant. He was educated in the seminary there, and came to the United States at the age of 20. In New York City Hillman became acquainted with Morris Hillquit and Leon Trotsky. Yes; Sidney Hillman was an associate of Leon Trotsky when Trotsky lived in this country, before the Communist revolution in Russia.

About that time Hillman became a member of the Socialist Party.

In 1910 Hillman marshaled his followers in a successful strike against Hart, Shaffner & Marx, and in the agreement which followed the winning of the strike he represented his organization as business agent or deputy from 1911 to 1914.

Hillman's policy was rather clearly indicated in an editorialized statement which appeared in the March 9, 1917, issue of the Advance. I quote from Hillman's statement:

We have unfurled the crimson banner—

The crimson banner—

of the Amalgamated Clothing Workers of America for the tens of thousands of workers who rally around it. It is bearing a message of hope and salvation for the workers. Our banner will never be furled before we reach the goal—the emancipation of the working class.

Mr. President, if that is not a statement in words used by Communists the world over, used by Trotsky, used by Lenin, used by Karl Marx, I cannot conceive of such a thing.

In 1922 Mr. Hillman went to Russia, and I wish to read what Pravda said on October 6, 1922, Pravda being the Communist Party's publication. It published an interview with Hillman, and this is what they said, in part:

Comrade Hillman—

They speak of him as comrade, a Communist—

Comrade Hillman expressed his confidence that the Russian-American Industrial Corporation is but the first step toward a really practical help of the international proletariat to Soviet Russia, and that this corporation will play a great economic and political role in the future.

He failed in that instance, but today we find the C. I. O. Political Action Committee, which under his command is attempting to communize this country. What did Hillman mean by "the corporation"? Hillman's assistance to Russia took a tangible turn in his taking over of the Russian-American Industrial Corporation in 1922. This organization sent out a prospectus stating that it had obtained a concession from the Bolshevik government, and it offered stock of the corporation at \$10 a share, and in the trial of Alexander Krasnotchekoff in Moscow it was declared that Hillman's

company, the Russian-American Industrial Corporation, was indebted to the Commercial & Industrial Bank of Moscow, and this provided the connection of the Russian-American Industrial Corporation with Soviet finances.

On that trip to Russia in 1922 Mr. Hillman visited Italy. In Italy at that time the Communist Party had taken over the industrial system of that country. Hillman went to Rome, and here is a statement which Hillman made about that trip published in the official proceedings of the 1922 convention of the Amalgamated Clothing Workers of America. I now read from Mr. Hillman's statement:

In Rome—

Said Hillman—

I was doubly welcome. The secretary of the Metal Workers' Union gave me a letter, the only key to open the gates of the factory.

As I said, the Communists in Italy at that time had taken over Italian industry. Listen to this. I read further from Mr. Hillman's statement:

With my Italian comrades—

Said Hillman—

I landed in front of the factory, which looked attractive.

Now, listen to why it looked attractive—

Because of the fine red flag which adorned the building and the Red sentinel who was keeping watch.

Is Hillman not a Communist? He said that factory was attractive because of the red flag of communism and because a Communist sentry kept watch over another man's property. I read further from Mr. Hillman's statement:

I stayed for lunch with the members of the factory council. The council then took me through the factory. The first thing that attracted my attention was a series of inscriptions on the walls, including the Soviet emblem.

I read that sentence again:

The first thing that attracted my attention was a series of inscriptions on the walls, including the Soviet emblem.

There is the most powerful political figure outside of public office in America today. There is the driving power behind the drive to have adopted the provision of this bill dealing with the Fair Employment Practice Committee, and to turn American industry over to the Fair Employment Practice Committee. There is a man who controls that Committee. Why, he is just as much a Communist as Stalin himself, and I think the United States today, Mr. President, is much closer to dictatorship from the Communist C. I. O. than the people of this country generally realize. Are these suitable people to administer this program? Should this great power be delegated to these individuals? Do you not know they will take over American business and American labor?

What does this agency do? It states first that it can appoint a great number of volunteer workers, and send them out to go into factories with the full power and force of the American Government behind them. Men who have the power



of the Government behind them, but who have utterly no responsibility, go into industrial plants, stir up strife and discord, file complaints, and set in motion machinery that would deprive a company of its property. If this is not the most vicious system we have had in this Government in many years I cannot describe it. The Committee can cite an individual, bring him before the Committee under subpoena, it can try the individual, make a finding of fact, cost him his Government contract, cost him his business, close him up, and the individual has no right of appeal to the courts. The very elemental safeguards of American justice and fair play and a square deal are missing there. There is no review in the courts. The individual has no day in court. He has no chance to tell his own story. Sometimes, as testified before the House committee, the Fair Employment Practice Committee holds secret sessions where the blessed light of the sun cannot shine in, and then tries just common ordinary blackmail by telling the individual that, "If you do not sign on the dotted line, if you do not abrogate or nullify this contract which you have solemnly entered into with your Government, or with your employees, we are going to cancel it, we are going to take your factory, we are going to deprive you of your property—all without due process of law."

Mr. President, what does the fifth amendment of the Constitution of the United States amount to if an executive agency can deprive legitimate businessmen of this country of those great rights therein granted them, on such a hearing as is granted by the Committee, with no right of appeal, with no right to testify, without fixed legal standards and the elemental safeguards which freemen require?

Mr. President, I submit that the Congress of the United States does not have the constitutional authority to permit this agency to operate, and by that I mean, as the Senator from Georgia [Mr. RUSSELL] stated, that when the Congress passes the provision in question, and grants the appropriation requested, it validates this agency and places congressional sanction upon it. We do not possess that authority, and I am going to read certain sections of the order creating the Committee.

5. The Committee shall receive and investigate complaints of discrimination forbidden by this order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

What could be more sweeping than that? But listen; this is section 7:

7. Within the limits of the funds which may be made available for that purpose, the Chairman shall appoint and fix the compensation of such personnel and make provision for such supplies, facilities, and services as may be necessary to carry out this order. The Committee may utilize the services and facilities of other Federal departments and agencies and such voluntary and uncompensated services as may from time to time be needed.

Listen to this:

The Committee may accept the services of State and local authorities and officials, and

may perform the functions and duties, and exercise the powers conferred upon it by this order through such officials and agencies and in such manner as it may determine.

What is sought to be done? Under the terms of the order the Committee could delegate legislative authority to State officials, to volunteers, and to outsiders. Further, the order provides that it may exercise these functions in such manner as it may determine.

Mr. President, the legislative branch of the Government does not have authority under the Constitution of the United States arbitrarily to delegate legislative authority. Under the Constitution, we must place safeguards around that authority. We must set up certain procedure and certain rules of decision, and we can confer power over individuals in this country only in express terms. To do otherwise would violate article I of the Constitution, which provides that the legislative power resides in the Congress, and would also violate the fifth amendment to the Constitution.

In that connection, I read from a very noted decision of the United States Supreme Court, in the case of *Wichita Railroad & Light Co. v. Public Utilities Commission* (260 U. S., p. 48), in which the court said:

In creating such administrative agency, the legislature, to prevent its being a pure delegation of legislative power, must enjoin upon it a certain course of procedure and certain rules of decision in the performance of its function. It is a wholesome and necessary principle that such agency must pursue the procedure and rules enjoined, and show a substantial compliance therewith, to give validity to its action.

That principle has been violated in this case, and for that additional reason this whole thing is unconstitutional. In addition, as I stated a few moments ago, there is no right of appeal. There is no recourse to the courts. Recently the United States District Court for the District of Columbia, in the case of *Jenkins Brothers against National War Labor Board*, held that in matters of finding of fact by an executive agency, the aggrieved party, the party against whom the directive is issued, does not have the right of recourse to the court to test the correctness of the finding of fact. Mr. Justice Bailey, in an opinion rendered on April 27, 1944, ruled that the court would not go into the questions of fact set forth in the proclamation as a foundation for his action.

Mr. President, the whole success of our system of government depends upon respect by the legislative branch of the government for the powers conferred by the Constitution on the executive department; and likewise the success of our democracy, and our lives as a free people, depend upon respect for and reliance by the executive upon the congressional arm of government. Dictatorship is born in any country under conditions such as arise here. I state in all sincerity, that if this agency is permitted to live, exercising the life-and-death control which it now exercises over American industry and the working man, the American Republic

is dead, our democracy is gone, and we live under dictatorship in the United States.

Consider the organizations and individuals behind this drive. Take Sidney Hillman. Take the C. I. O. Mr. President, if we enact this provision into law we feed those organizations. We make them strong. Let me tell my Republican colleagues that they are out to destroy the Republican Party. They are out to drive everyone of you from public life. A monster has arisen. If we validate this Committee, it will become the most powerful bureau in the American Government. Hearings have been held in the House on the subject of creating a permanent organization of this kind. Let us refuse this appropriation, adopt the pending amendment, and then, if we should unwisely consider a permanent F. E. P. C., safeguards can be written into the law. We can write limitations which will protect the people of this country, preserve American liberty, and prevent our country from drifting down the road to dictatorship and totalitarianism from which no nation in our generation has ever yet taken and returned.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. RUSSELL. I ask unanimous consent to have read at the desk a brief news item appearing in the New York Times of June 18, 1944.

The ACTING PRESIDENT pro tempore. Without objection, the article will be read.

The legislative clerk read as follows:

**ROOSEVELT SIGNS ELK HILLS OIL BILL—APPROVING INCREASED OUTPUT AT NAVY REQUEST, HE OBJECTS TO POWERS GIVEN TO CONGRESS—CALLS THESE "EXECUTIVE"—LONG ESTABLISHED AND SOUND PRINCIPLES OF GOVERNMENT ARE UPSET BY MEASURE, HE SAYS**

WASHINGTON, June 17.—President Roosevelt signed today the bill to permit increased oil production from the Navy's Elk Hills reserve in California, but stated his objections to provisions in the measure which, he contended, would vest the Congress with "what amounts to executive powers over the administration of the naval petroleum reserves."

He approved the bill because he had been told by James V. Forrestal, Secretary of the Navy, that there was immediate need for legislation "to deal with the problems of drainage and current production from the naval petroleum reserves."

In approving the legislation the President did not wish to be understood as expressing approval of all its provisions.

#### WARNING ON EMERGENCIES

"On the contrary," he said, "I regret to say that in several places this act departs from principles of government which have been long established and which are in my opinion, fundamentally sound. I feel it is my duty to express my concern lest this departure be continued in future legislation."

"The provisions of the act to which I have reference would vest the Congress with what amounts to executive powers over the administration of the naval petroleum reserves."

"This legislative assumption of executive functions takes form in two requirements—first that the Secretary of the Navy, even with the approval of the President, may produce petroleum from these reserves only in the quantities from time to time specified by the Congress, and, secondly, that



the Secretary may not condemn lands or enter into joint or unit contracts, or other contracts or leases, without prior consultation with the Naval Affairs Committees of the Congress.

"The first requirement, in addition to being objectionable from the standpoint of principle, was apparently drafted without proper cognizance being taken of the fact that an emergency necessitating a sharp increase in production might arise during a recess of the Congress.

"The second requirement I would have considered unwise enough if it had merely placed the executive function of advising and consulting on contracts and leases in the hands of the two Houses of the Congress. But to go further and to delegate, as it were, this function to two committees of the Congress is, in my opinion, to disregard principles basic to our form of government.

"Efficient and economical administration can be achieved only by vesting authority to carry out the laws in an independent executive and not in legislative committees. This act, in my opinion, impinges deeply upon this fundamental principle of good government embodied in the Constitution."

Mr. RUSSELL. In this statement issued by the President upon signing the bill relating to the naval oil reserves, he strongly implies that he would have vetoed the measure as an encroachment upon the powers of the executive branch of the Government but for the pressing need for some legislation on the subject. The President complains against a provision which would require the Secretary of the Navy to consult with two committees of Congress before taking certain specified action as disregarding principles basic to our form of government. I do not understand that the Secretary is bound to follow any advice he may receive from the committees. The President is therefore vigorously asserting the rights of the executive branch of the Government and protesting any interference with the prerogatives of the executive department. The President is entirely within his rights in protesting any invasion of the executive branch of the Government by legislative action. I shall undertake to sustain him in protecting the prerogatives of the executive department.

I insist, Mr. President, as a member of the legislative branch of the Government that, paraphrasing the language of the President, the action creating the Fair Employment Practice Committee by Executive order without consulting the Congress or securing any legislation authorizing such an agency is also a great departure "from principles of government which have been long established and which are fundamentally sound." There is no more firmly established principle in our form of government than that no American citizen shall be tried or penalized by any department of the executive branch of the Government—or the judicial department, for that matter—without direct congressional authority. As I undertook to point out on Friday, this agency is asserting the right to cite and try American citizens; to cancel legal contracts between employers and labor unions; to force labor unions to accept members of these organizations against the wishes of a majority of the membership; to require management or employers to accept the services of persons designated by this F. E. P. C.

as well as to reclassify and upgrade employees found by this F. E. P. C. to be entitled to such reclassification or upgrading, without any action on the part of the Congress. This F. E. P. C. further asserts the right to cancel contracts between the citizen and the Government, and otherwise impose sanctions upon citizens of this country who do not conform to its illegal decrees and edicts.

Certainly, Mr. President, the executive branch of the Government cannot complain of congressional interference with executive functions and at the same time condemn any action by the Congress of the United States in denying an appropriation to an action agency of Government asserting these vast powers, which has no authority other than those conferred by Executive order. If the Congress wishes to assert its right and power to legislate, we must defeat this appropriation. To refuse to do so would be good reason for criticism. The executive department shows its alertness and aggressiveness in protecting its rights. Those who advocate this appropriation would have the legislative branch of the Government supinely approve and endorse encroachments upon its authority to legislate by ratifying in an item of appropriation all of the acts, rules, and regulations of this agency, which has not one line of statutory authority to support it nor one constitutional provision as basis for its existence. That would be the effect of our action if we approve this item in this appropriation bill.

I hope that the President's statement in signing this bill may lead us to some reclassification of the powers properly belonging to each of the three branches of Government. We should start now by defeating this appropriation.

I thank the Senator from Mississippi for yielding.

Mr. EASTLAND. Mr. President, I thank the Senator from Georgia for his observation.

As I said, there is no congressional authority for the establishment of this Committee, and the President of the United States lacks the authority under his war powers to create it.

Mr. MURDOCK. Mr. President, I make the point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Hatch	Robertson
Ball	Hill	Russell
Bankhead	Holman	Shipstead
Barkley	Johnson, Calif.	Stewart
Bilbo	Johnson, Colo.	Taft
Brewster	Kilgore	Thomas, Idaho
Burton	Lucas	Thomas, Okla.
Bushfield	McClellan	Thomas, Utah
Butler	McFarland	Truman
Byrd	McKellar	Tunnell
Capper	Maloney	Tydings
Chavez	Maybank	Vandenberg
Connally	Mead	Wagner
Cordon	Millikin	Wallgren
Danaher	Moore	Walsh, Mass.
Davis	Murdock	Walsh, N. J.
Eastland	Murray	Weeks
Ellender	O'Mahoney	Wheeler
Ferguson	Overton	Wherry
George	Pepper	White
Gerry	Radcliffe	Willis
Gillette	Reed	
Gurney	Revercomb	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFY], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], and the Senator from South Carolina [Mr. SMITH] are detained on public business.

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS], and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

Mr. WHERRY. The Senator from Vermont [Mr. AUSTIN], the Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. LANGER], the Senator from North Dakota [Mr. NYE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent attending the wedding of his daughter.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The PRESIDING OFFICER. Sixty-seven Senators having answered to their names, a quorum is present.

Mr. CHAVEZ. Mr. President, I dislike very much to disagree with some of my colleagues. I have listened attentively to the junior Senator from Georgia [Mr. RUSSELL] and to the junior Senator from Mississippi [Mr. EASTLAND]. I wish I could agree with them in their analyses of the pending amendment. I know that other Members of this body have views contrary to mine, but knowing them as I do, I am sure that they will accept my remarks in the spirit in which they are meant, even though they may be contrary to the views held by them.

Mr. President, the question relating to the item of \$500,000 for the President's Committee on Fair Employment Practice goes further than the question of the amount of money which we are asked to appropriate. The item goes to the very fundamentals of our Government. It goes to the very origin of the creation of the Republic. It goes even to the background of the creation of the Republic. Mr. President, either we shall have a republic for all of us, or our Government will be a failure. The reason I am interested in the item having to do with the Committee on Fair Employment Practice is because I want the United States to belong to all of us, and not to a few.

Who is the American citizen, and why is he an American citizen? To what is he subject? The American citizen—and I do not mean the manufacturer only, or the so-called businessman; I mean all of us—is subject to two things. He is



subject to duties and responsibilities, and he is subject to rights. Unless rights go along with duties, the functions of the Government as it was created cannot successfully be performed. The American citizen must die, if necessary, in the defense of his country. The American citizen has the duty to pay his share of the cost of Government. But the American citizen is entitled basically to all the rights accorded by the laws of his country.

So, Mr. President, in this particular instance we are merely returning to fundamentals. How was this country created and why was it created? In order to take care of business only? No. In order to take care of a few citizens only? No. It was created for all. The first step which was taken by the creators of the American Nation resulted from abuses such as the Committee on Fair Employment Practice is attempting to correct. They were abuses on the part of the mother country, and the men then living within the Thirteen Colonies decided that they were freemen and declared their independence. They framed and promulgated the Declaration of Independence. I hope to prove by that very instrument which was drafted and imbedded in the minds of the people of the continental United States long before the existence of the Committee on Fair Employment Practice why the American people revolted against England.

Mr. President, why did the people revolt? The answer to that question was stated very clearly in the Declaration of Independence. Why did we go to war against England? Why did we initiate the Constitution which made it possible for us to be here today? I will endeavor to state why.

The men who drafted the Declaration of Independence uttered the truth. I have a copy of the Declaration of Independence before me. As I proceed step by step it will be my purpose to endeavor to convince Members of the Senate that it would be in keeping with the initial steps of our Government were we favorably to act upon the item now in controversy.

Those who wrote the Declaration of Independence said:

We hold these truths to be self-evident, that all men are created equal—

Of course, that did not mean social equality. That did not mean that someone must ask me to go to his home tonight and have something to eat with him. That expression, Mr. President, meant equality of opportunity under the law and under the Constitution. that they are endowed by their Creator—

Not by the Members of the United States Senate, Sidney Hillman, or someone else, but by the Creator— with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness.

That was the first declaration of freedom, the first enunciation of freedom as we should have it today. It was the first step. We did not have a government at that time, but only some men who wanted to be free.

Following the Revolutionary War the men who fought it and their followers got together to form a government. I think I know the history of this country; I believe I know the philosophy underlying the creation of this Government, and I believe I know for what we are fighting for today. After the Declaration of Independence the men who had fought against England, who had declared themselves independent, formed a government and wrote a constitution in which I believe and which I think should be followed in every instance, whether it be for the protection of property or for the protection of the individual. In my opinion, humanity is more important than property.

Why did the founders of our country frame a constitution? The reason is set forth in the preamble to that noble instrument. I shall read the preamble. Those who wrote it did not say, "We the businessmen," or "We the members of the C. I. O.," or "We the members of the United Mine Workers," or "We the members of the Democratic Party," or "We the members of the Republican Party." No; they said:

We the people of the United States—

All of us—

In order to—

What?

In order to form a more perfect union, establish justice—

Is there anything unjust in having in these United States fair employment practices?

Insure domestic tranquillity, provide for the common defense—

How can the common defense be provided for unless every citizen of the Nation is treated equally under the law and is accorded the same equality of opportunity? promote the general welfare.

Is the general welfare promoted when Jim Jones, doing a piece of work in an industry engaged in the war effort or in everyday life, but who happens to be of a certain color—I am referring to actual work; I am not talking about social equality; I am talking about sweat and blood and suffering and the creation of wealth—is paid one wage while Tom Brown, doing the same class of work, laboring the same hours, creating the same wealth for these United States, is paid more than Jim Jones is paid? Is that one of the things for which the people of the Colonies revolted against England? Is that what they enunciated in the Declaration of Independence? I think not, although I may be mistaken.

And secure the blessings of liberty to ourselves and our posterity—

How can liberty be assured to ourselves and our posterity if one class of people have economic liberty and all the people have political liberty, but another class of people have economic slavery? Can such a situation be reconciled with the fundamentals of the American Government? In that light, it cannot be proved to me that the item in the bill for the

Fair Employment Practice Committee is not correct.

do ordain and establish this Constitution for the United States of America.

Mr. President, a few days ago the President of the United States, the Commander in Chief of the Army and Navy, sent to the Congress of the United States a message. It was dated June 12, 1944. Amongst the things that the President said at that time—and I quote from his message—were:

This Nation is appalled by the systematic persecution of helpless minority groups by the Nazis. To us—

To our country—

the unprovoked murder of innocent people simply because of race, religion, or political creed is the blackest of all possible crimes. Since the Nazis began this campaign many of our citizens in all walks of life and of all political and religious persuasions have expressed our feeling of revulsion and anger. It is a matter with respect to which there is and can be no division of opinion amongst us.

I am referring now to the message the President sent to this body with reference to people in foreign lands who have suffered under tyranny. I agree with that message. We should take note of it, and do everything possible to relieve the situation that is called to our attention by that message.

As Americans who believe in the Constitution and love our Government and want it to continue as it was created, how can we justify within our own country such practices as now prevail, although not under the law or the Constitution, when we condemn with the President those responsible for the sufferings of strangers? How can it be justified? How can we justify paying one person more than another for the same class of work because management, poor management, says that one man should receive less because of his color? Let me say, Mr. President, when the Jap goes forth to attack our men with his bayonet, seeking to cut the throat of an American soldier, he practices no racial discrimination and shows no racial favoritism whatsoever. He will kill the American boy who has a German name; he will kill the American with a Mexican name; he will kill the American Negro; he will kill the American with an Irish name; there is no racial discrimination in him when it comes to killing. But in this country, where we are supposed to be fighting for the things we love and for the freedom of mankind, we find the ugly head of racial and economic discrimination showing forth.

Mr. President, this item in this bill, in my opinion from the standpoint of the Government itself, from the standpoint of international policy, is the most important item that has appeared in any bill or any appropriation. I know that there is opposition in certain quarters to this appropriation, and to the continuation of F. E. P. C. I believe that such opposition is based upon a misunderstanding of the fine work being done by F. E. P. C.

I assure those Senators who have a view contrary to mine that I am not in-



terested in the personnel of the Committee. If I had had my way, I would not have had one of them on the committee, from what I know about those whose names have been read; but I am interested in the work of the committee. I did not have anything to do with the appointments; I was not consulted at all; but I favor the philosophy, the true-blue Americanism, in the functioning of the Committee.

I feel confident that I can convince my colleagues of the merits of the appropriation for the agency mentioned, and I want those who are kind enough to listen to me hear what I am about to say.

It so happens that in the field of racial discrimination, yes; racial prejudice, in our economic system, I am thoroughly familiar with the experiences of the Mexicans and Latin Americans, particularly in the southwestern section of our country. This discrimination is not confined to citizens of the Republic of Mexico or to citizens of Latin extraction from the other Latin-American countries, but it also involves citizens of the United States of several generations, persons who are descendants of Spanish colonials who arrived in New Mexico and the Southwest as far back as the sixteenth century; citizens of the United States who have ever been loyal to this country since New Mexico was annexed in 1848, and whose patriotism cannot be questioned. The War Department's records will show that they have participated with distinction in the wars of our country, and have made singular contribution to the martial record of the Republic for almost a hundred years.

Only a few years after New Mexico became a part of the United States, the War between the States began. New Mexico did its full share in that war in the interest of the Union, and many of its citizens also sided with the Confederacy. Whether for the Union or for the Confederacy, they did their duty as they understood it at that time.

They prepared the ground for and participated fully in the efforts of the Government to control what in those days were considered as savage tribes.

They participated in the war against Spain, and the muster rolls of Teddy's Rough Riders contain many a name of Spanish derivation.

Thousands of those Americans who took part in the First World War, and many who are now lying in American cemeteries in France, were of Spanish colonial extraction. In this war they are found in every branch of the various services and in every theater of operations: In India, Burma, and the Pacific, in Africa, Italy, and the beach heads of France.

I mention these things to prove that these Americans of the Spanish southwest have not asked for the right of equality of opportunity as a gift, but, as is just and proper, they have purchased this privilege with their sweat and blood.

The people of the country know of Joe Martinez at Attu. Recently in the advance on Rome, Private Aguilar, of Brownsville, Tex., walked into the American lines with 18 or 20 German prisoners.

There are Senas on missions for the

Air Corps in the Pacific, and as paratroopers in the same area. There are literally hundreds of the same stock of American boys now prisoners of the Japanese in the Philippines, themselves planting the rice upon which they subsist in order that you and I, Mr. President, may continue to relish the proverbial "three squares a day."

Does anyone think that at Bataan or Corregidor, when our men were acting under the orders of General Wainwright, the Japanese made any differentiation as to whom they were about to kill, whether they were of Mexican ancestry, from New Mexico, or Irish ancestry, from Brooklyn, or the best Anglo-Saxon stock of the country, from Georgia? They did not. They killed all they could, and, as I have said, those who are still alive are planting rice at this time. There is no differentiation as to racial stock in the prison camps in the Philippine Islands.

Another virtue of these Americans of Spanish or Mexican extraction is outstanding. Never, since they became citizens of this country, have they interfered with the policies of our country in matters affecting the United States with relation to the republics of Latin America. This can scarcely be said of any other racial group within our borders. Has anyone ever seen a Spanish name in a list of saboteurs? While it is true that they have the same racial, religious, and historical background as the peoples of Latin America, they have never petitioned our Government, or otherwise insisted that this country should do certain things in matters affecting their mother country or countries of similar racial stock. How does this compare with the activities of other minority groups in this country with reference to their mother countries?

That discrimination against the American of Spanish or Mexican extraction has prevailed in the Southwest, and prevails today, is known to all. I can say that it is not as rampant today as it has been in the past. Official sanction is not being given to discrimination. But it does exist, especially in the lines of economic endeavor, and, because this is true, I want the F. E. P. C. to continue in operation.

In my opinion, the activities of the F. E. P. C. in trying to adjust cases of discrimination which come to its attention have done more to bring about actual good will in Latin America than the many millions spent by the Coordinator's Office, by lend-lease agencies, or by the former Board of Economic Warfare combined.

I know the reaction of Latin Americans to the abuse of Latins, and no matter how many millions are spent below the Rio Grande we will not bring about good will amongst the people of those countries toward the United States unless their citizens and American citizens of the same origin are treated in keeping with the ideals and traditions which we so proudly proclaim as part and parcel of the American way of life.

We may spend millions of dollars in Mexico, but when one of their legislators is denied food in a restaurant in a south-

western country town these millions are worse than wasted. Other millions, even billions of dollars, might be spent in other Latin-American countries, but when the cadets we bring here, and who are our guests in our Air Corps camps, are denied the privilege of swimming in a public swimming pool, the millions of dollars are again worse than wasted.

It all goes back to the ancient truism that the finest and the most valuable things in life cannot be purchased with money, simply because they are not for sale. Thus, when the same Latins know that in the copper mines of the southwest Jim Brown gets \$6.90 while Jose Gonzales gets \$3.60 for the same class and type of work, do not count on the efficacy of the millions of dollars which are spent in an effort to buy good will.

When the Latin-American knows that citizens of Puerto Rico, whose sons in the present war number some 65,000, are denied jobs in war industry or the right to pick the citrus fruits of Florida because labor groups object, the millions of dollars which have been spent since 1941 will have been tossed to the winds of wasted effort.

The Latin-American public is keenly alert to these conditions, and their negative effect upon inter-American relations is becoming more marked every day. In Mexico, public opinion is overalert to the treatment which Mexicans receive in our country. It may surprise some Senators to learn that only recently there has been set up by the Chamber of Deputies of the Republic of Mexico, a committee for the purpose of keeping the attention of the Mexican Congress focused on discrimination against Mexicans in the United States. This sensitivity of national dignity is just as present in the other republics of Latin America, and the recognition of these circumstances by Axis agents has afforded them opportunities to stir up ill feeling on the part of Latin-Americans toward the United States.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. RUSSELL. I was interested in the Senator's statement that a certain committee had been set up in Mexico. Do I correctly understand that the committee was set up by the parliamentary body of Mexico, or was it set up by the President of Mexico?

Mr. CHAVEZ. It was set up by the parliamentary body of Mexico.

Mr. RUSSELL. That is entirely beside the question I have raised here.

Mr. CHAVEZ. The point I make is that the Fair Employment Practice Committee deals in many instances with matters affecting Mexican citizens in such a way that the little money spent by the Committee is of more help to the goodwill efforts of this country than all the money we are spending through the Coordinator's office. How would we feel if matters were reversed. Suppose Mexico gave us everything she had for the war effort, but at the same time let us assume that the Senator from Georgia [Mr. RUSSELL] and I were to endeavor to go to Mexico—I am speaking of individuals now, for what is happening affects in-



dividuals—and we were told “No; we will not let the Senator from Georgia or the Senator from New Mexico come into Mexico because they are Americans.” We would strongly resent such treatment. It is such minor matters that the Committee is trying to adjust, and adjustment of them is of great help in the effort which is being made toward the establishment of friendly relations between this country and Latin America.

Mr. RUSSELL. Does the Senator from New Mexico state that the Fair Employment Practice Committee is trying to adjust matters of that nature? I understood the Chairman of the Committee to contend that the Committee invaded only the field of economics and the economic relations of the various races of people.

Mr. CHAVEZ. Oh, yes; that is correct. Before I conclude I wish to call the Senator's attention to a couple of business concerns in this country in connection with which the Committee did some work. My friend the junior Senator from Mississippi spoke of the poor businessman whom he is trying to defend. That is all very well, but I want the poor businessman to do what is right also.

Let me show how far this situation extends. The Axis Powers are ever on the alert to try to take advantage of an isolated case of abuse in order to use it for their purposes. In this connection it is singularly pertinent to call the attention of the Senate to an address delivered by me in Spanish to Latin America, via short wave, on February 11, 1942. I have been donating my time throughout the war period to the Coordinator's office and have been making short-wave talks to Latin America. In this particular instance, on February 11, 1942, I made an issue of our oft-vaunted boast that the United States of America is a land in which men from every nation may find opportunities to live in peace and under justice. Scarcely were my words received by the Nazi stations than the Ministry of Propaganda of the German Reich issued a statement that the Nazis knew and know about the atmosphere of social and economic discrimination which pervades our country as a whole. They are the same facts which have been verified by our own social and governmental agencies.

But, as I stated before, the Fair Employment Practice Committee, with a very limited fund provided from the President's fund, has done outstanding work trying to correct these abuses, thereby notifying our Latin-American friends that no official sanction will be given to either discrimination or abuse of racial minorities in our economic system. By that I do not mean social equality; merely equality of opportunity economically.

Please believe me, Mr. President, when I state that this Committee is worth more to the people of the United States, to the interests of peace in the future, unless it is desired to use the big stick, to the interests of commerce between people of the different countries, than all the other agencies put together.

I call attention now to a few instances of unfair employment practices which

have come to the notice of the Government. I call them particularly to the attention of the Senator from Georgia, because I am going to show how poor business concerns such as the Dutch Shell Oil Co. and the Sinclair Oil Co. are affected. I shall call attention to some of the so-called complaints that have come to my attention and the attention of the Committee and the Government inasmuch as they affect international relations.

A report dated June 3, 1944, from the President's Committee on Fair Employment Practice incorporates an extract from a communication received from the Nonferrous Metals Commission. Having to do with the wage differentials in common labor rates paid to Mexicans and Anglo-Americans for the same work performed, this report states:

So that it will be thoroughly understood that the problem of discrimination encountered in the instant case is not peculiar to the subject companies or the mining industry, it is well that we consider the problem generally. Carey McWilliams, an outstanding authority in the field, has written, “It has been pointed out, ad nauseam, that the Mexican migrant is ill-housed, ill-clothed, and ill-fed. His children are retarded in the schools and in many areas they did not even attend schools. From every point of view, Mexican migratory workers (most of whom are fairly recent immigrants) constitute a definite disadvantaged, submerged class of our society.

“They are the victims of a well organized caste system which dooms them to restricted types of employment, visits upon them a complex and comprehensive system of social discrimination, and makes for chronic maladjustment. This system, moreover, tends by its very nature to be self-perpetuating.”

Reports are constantly coming to me of social and economic discrimination against Mexicans and Latin Americans, and almost every Western and Southwestern State is the stage upon which these un-American dramas are being acted. They all point to the unfair treatment of these groups through the application of discriminatory wage scales by every type of private enterprise.

We have in this city the headquarters of the Pan American Union. The Pan American Union is supported by the countries of Latin America, by the United States, and by Canada. The idea is to try to get along basically. Among the personnel of the Pan American Union is a Mexican who appeared before the House Labor Committee the other day and gave some testimony.

Ernesto Galarza, chief of the labor section of the Pan American Union, in a statement before the House Labor Committee on June 2, 1944, observed that—

Next to Negroes, this group represents one of the largest so-called minorities in this country. It is probable that if all persons having some degree of identification with Hispanic and Indo-hispanic culture—economically, socially, linguistically—are included, the total size of this group would not be far from 2,500,000.

They are here. The majority of them are citizens of this country. They participate in the every-day life of this country. They go to war for this country. They die for this country. At election time we try to persuade them to vote for

our side; but in the economic field or in Government enterprise they are set aside.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. MAYBANK. The Senator is arguing about the economic disadvantage which I regret exceedingly seems to exist among certain groups because, perhaps of race. The Senator will agree with me, will he not, that there is also an economic disadvantage to certain sections?

Mr. CHAVEZ. That is correct. That is why I wish to have a revision of freight rates in the South.

Mr. MAYBANK. Not only that; but an economic disadvantage exists in pay rates. For example, in New York the wage scale is much higher than in Charleston or Mobile.

Mr. CHAVEZ. That is correct; but that is not the point. The point is that discrimination exists because of race. A man is not placed on a certain job because he happens to be of Italian ancestry or Irish ancestry. The point I am trying to make is that if there is a job to be done, there should be no discrimination against men because of race.

Mr. MAYBANK. The Senator is making the point that there is an economic discrimination in wage scales because of race.

Mr. CHAVEZ. That is correct.

Mr. MAYBANK. Can we not also agree that there is a discrimination in wage scales as between various sections?

Mr. CHAVEZ. That is correct.

Mr. MAYBANK. There is a discrimination as between various sections in wage scales in the Government service.

Mr. CHAVEZ. Not for the same type of work. We have the Classification Act, and if a person is CAF-2, he receives CAF-2 wages.

Mr. MAYBANK. I did not mean that. The discrimination to which I refer is in Government navy yards in different sections.

Mr. CHAVEZ. There is no question about it. But if Jim Jones is a machinist, and working at the navy yard for \$8 a day, why should Tom Smith, working on the next machine, doing the same class of work, be paid only \$6 a day?

Mr. MAYBANK. Does not the Senator agree with me that in navy yard work, whether it be done in New England, in the South, or on the west coast, there should be an even scale of pay? In levying taxes, Congress calls upon each and every one to pay the same rate of taxation on a given income.

Mr. CHAVEZ. That is correct. The point I am trying to make is that if the boy from the Southwest, the boy from the Northwest, the boy from the Northeast, and the boy from the Southeast go together and work for \$50 a month, and die on the beaches of Normandy, their brothers should be entitled to equal wages for the same class of work.

Mr. MAYBANK. Why are not men in various sections of the country entitled to the same pay? The military pay is the same in all sections. Why should individual Government pay in New England be higher than individual govern-



ment pay in the Southeast, in factories? The Army pay is the same in all sections.

Mr. CHAVEZ. Whenever the Senator comes forward with a proposal to pay wages in the South as high as those paid in New England, I shall be for it.

Mr. MAYBANK. I appreciate the Senator's attitude. I do not wish to be misunderstood as drawing a comparison between New England and the South. I merely mean that in the larger navy yards in the Northeast the pay is considerably above that in my section.

Mr. CHAVEZ. That is correct.

Mr. Galarza further said:

In spite of his lowly social position, the contribution of the Mexican to the development of certain parts of this country, especially the Southwest, has been notable. Former Vice President John N. Garner recognized this fact in his testimony before a Senate committee in 1928, when he said: "The seasonal Mexicans in our territory do a kind of labor that no others are willing to do \* \* \*. I can mention two counties down there on the border that have increased in taxing value in the past two decades from \$3,000,000 to \$88,000,000. That increase would not have been brought about if we had had an immigration quota to apply to Mexico."

My point is that we should do the decent thing, the American thing.

This contribution of the Mexican workers, however, has produced nothing but unfair-labor practices. It has not protected them from a type of economic discrimination which falls into four main classifications: (1) refusal of employment; (2) withholding of opportunities; (3) refusal of promotions according to seniority and ability; and (4) payment of lower wages for the same work as performed by Anglo-Americans.

During the summer of 1942, the War Department, under contract, started the construction of what is now Camp Hale, at Pando, Colo., Pando being a short distance from the city of Leadville. The Army, of necessity, wanted the camp completed as soon as possible. Hundreds, even thousands, of citizens flocked to the construction projects for the purpose of contributing their effort on behalf of the war.

Hundreds of citizens of Colorado, New Mexico, and Utah, whose ancestors were residents of those areas, obtained employment; but lo and behold, one day I received a telegram from a citizen of my State by the name of Juan Romero, at that time actually a member of the New Mexico State Legislature, but who had been working at this Army construction camp, to the effect that he and over 500 others had been dismissed at the instance of the construction colonel and Mr. Platt Rogers, the contractor—one of the poor businessmen we hear about—simply because they were supposed to be Mexicans.

They were no more Mexicans than is the Senator from New York [Mr. WAGNER] or than I am. So far as citizenship is concerned, they were no more Mexicans than are any of the Senators listening to me. They were American citizens, but they did not have English-sounding names. Their brothers could have been dying in Japan, in Burma, in Africa, in China, or elsewhere. They were dis-

missed at the instance of the construction colonel and Mr. Platt Rogers, the contractor, simply because they were supposed to be Mexicans.

Sometime ago the Congressional Medal of Honor was awarded to a boy from my section of the country who died at Attu. His name was Joe Martinez. The Congressional Medal of Honor is not awarded indiscriminately. A man must do something on the heroic order in order to receive such an award. That boy died at Attu. We should examine the records of the War Department. Some boys who were told to go would not go. But this so-called Mexican, from Colorado, did go. With a gun on his shoulder, he took the whole impact of the Japanese bullets. Nevertheless, his brother or his uncle or some other relative of his could not get a job in the war effort at Pando, Colo., because his name is Martinez. We give Martinez a medal for dying, but we refuse a job to his relative or to his friend. Then we complain, and we wish to cut out an appropriation, because a committee selected by the President is attempting to rectify such an un-American condition.

I do not take things of that type lying down. I took up the matter with General Marshall, with the Chief of Army Engineers, who was in charge of the construction, with the senior Senator from Colorado [Mr. JOHNSON] and with the junior Senator from Colorado [Mr. MILLIKIN] in whose States the camp is located, with the Governor of Colorado, who happened to be a Republican at the time, and with the F. E. P. C. I received the full cooperation of all concerned. That was as it should be. An investigation was immediately made, and the matter was found to be so discriminatory, so unfair, and so un-American that the persons who had been dismissed were placed back at work within several days.

Can anyone still tell me that we do not need some agency of government to carry out such functions of government and to try to preserve the things which were created through the instrumentality of the Declaration of Independence and the Constitution, and for which our boys now are dying?

Again in talking about good will, let me ask whether Senators believe that all the millions of dollars we spend below the border can convince the people of the Latin-American countries that we are their friends, if such a thing as the one which occurred at Camp Hale, Colo., is tolerated or allowed to continue?

Permit me to cite other cases:

On November 24, 1943, I complained to the Chairman of the F. E. P. C. about a discriminatory advertisement which had appeared in the Albuquerque Morning Journal of November 19. That advertisement stated that Anglo girls were wanted for fountain and restaurant work. What did the Committee do? It did not go down there and use the Army to drive or force people to do certain things. It merely went there, talked over the matter, and said, "See here, these girls do not have to be of Anglo-American stock. Our people are composed of representatives of various

racess," including Sidney Hillman, whether we like it or not.

As a result of that action by the Committee, the advertisement was discontinued. American girls of Latin extraction were hired by the party charged, which was the Engineers Exchange of Albuquerque, N. Mex.

Now let us consider the poor people who are unable to take care of themselves without the help of the Senate. Workers at the Humble and Sinclair Oil Cos. need our help. Do Senators have any doubt about that? When Mexico, under her laws, did certain things, the Humble Oil Co. and the Sinclair Oil Co. wanted our help, and they complained that they were being mistreated. We are supposed to go there, to protect their so-called rights. We are supposed to go there and to use the strong arm of the United States—and our Government has a strong arm—to protect their so-called rights, regardless of whether those rights were obtained by means of arson, murder, or robbery. We are supposed to protect them. But in their dealings in this country, what do they do to the so-called poor Mexicans? Those companies, the Humble Oil Co. and the Sinclair Oil Co., say we are abusing them because we want them to do the right thing by some poor laborers. Workers at the Humble Oil Co. and the Sinclair Oil Co., in Texas, filed complaints with the F. E. P. C. Those complaints were a part of a number of charges filed against those two companies and against the Shell Oil Co. The Committee was able to adjust the specific complaints. All the Committee did was go down there and talk about the matter with the companies. The Committee succeeded in adjusting the specific complaints against the Humble and the Sinclair Oil Cos., but is still attempting to correct the discriminatory policies of the Shell Oil Co. The Shell Oil Co. has been using those practices in this country. The Shell Oil Co. is also a foreigner; it is not an American company. It is doing business here through the tolerance of this Government and through the tolerance of the American people. Merely because a committee of the President is attempting to obtain fair employment practices on the part of that company, we are told that we are driving business to perdition.

All Members of the Senate will recall the early 1920's. All of us recall what the oil companies did to us, unbeknown to us until the late Senator Walsh of Montana developed in this body what those oil companies were doing. Of course, because a little two by four committee of the President wants them to pay the correct and proper wages, to treat a human being with the dignity to which he is entitled, we are told that we are driving those poor business people to perdition. Mr. President, it is too pathetic.

In all those cases, company practices prevented Mexican workers from obtaining opportunities to hold better paying and more skilled jobs. In anything as deep-seated as the discriminatory practices encountered, it would be foolish to say that all the problems in connection with the Humble Oil Co. and the Sin-



clair Oil Co. have been finally adjusted, although the specific complaints have been taken care of.

When we talk about good will, we must not forget the treatment received by Mexican workers. We might give the Office of the Coordinator of Inter-American Affairs \$20,000,000. We gave that office \$43,000,000 last year. But I can tell you, Mr. President, how it all goes to waste.

Mexican workers encountered difficulty in obtaining employment at the Dallas plant of the North American Aviation Co. Those individuals were qualified workers who were unable to obtain clearance for employment because they were still citizens of Mexico, although they had been living in the United States for a number of years. It is important to keep in mind that such persons were subject to the draft, and could be called for military service. Therefore, in all fairness, they should have had an opportunity to obtain employment. Dr. Carlos E. Castaneda, who was then Acting Regional Director in the Committee's Dallas office, succeeded in obtaining clearance for those workers, and approximately 50 men were employed as a result of his efforts.

Currently, the committee is investigating complaints of wage and occupational discrimination against Mexicans in the copper industry. So far, the investigation has included the following communities: In Arizona, Winkelman, Globe, Clifton, and Phoenix; in New Mexico, Santa Rita; and in Texas, El Paso.

Of course, one cannot blame the Government for responsibility in individual cases. Many of these instances of discrimination are caused by individual citizens, businessmen, corporations—yes—and even unions; but it is the duty of the Federal Government, in my opinion, to adjust such abuses, especially in war-times.

Mr. President, let me inform my fellow Senators about the people of Latin America. I think I know them. I happen to be of Spanish extraction. I think I know their virtues and their failings, their feelings, and the psychological reactions of Latin Americans. I know their individuality, their characteristics, their emotions, their racial and religious background. Good will cannot be bought from a person of Spanish or Latin extraction. More can be done by a kind word, by decent treatment, by fair play, than by all the millions of dollars which may be spent. Courtesy and personal dignity constitute the keystone of their culture. A recognition of fair play and common decency in our treatment of our neighbors is all that is necessary. A recognition of the dignity of the human being, the dignity of birth, and the glory of death will bring about good will. I respectfully submit this thought to my fellow Members of the Senate, with the hope that it may contribute to the affirmative side of the argument on the merits of the item involved in the F. E. P. C. appropriation. I would consider myself unfaithful to the duties of my office and to my obligations as a citizen of this Republic were I not to support without qualification the appropriation making possible the continuance of the present

Committee on Fair Employment Practice.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. RUSSELL. I regret that I was called from the Chamber once or twice during the remarks of the able Senator from New Mexico. I wonder if the Senator touched upon the constitutional aspects of the question with respect to the right or power of the President to establish an agency with powers which this agency claims to possess.

Mr. CHAVEZ. I may answer the Senator in this way: The interpretation of the Constitution is rather peculiar. I have heard arguments in this body to the effect that a certain piece of proposed legislation might be constitutional or might not be constitutional. I have heard lawyers, in whom I had confidence, argue that the particular provision now being discussed is constitutional, and I have heard other highly respected Members give an entirely different interpretation of the law. I have no opinion with regard to it.

Mr. RUSSELL. Of course, the Senator knows that we do not have legislation before us. A question as to constitutionality of legislation would not be germane.

Mr. CHAVEZ. The Senator is correct. However, I do know that, due to the emergency itself, we have given the President certain war powers. Whether we had a right to do so is beside the question.

Mr. RUSSELL. Which one of the war powers does the Senator believe has been exercised in creating this agency?

Mr. CHAVEZ. I have no ideas with regard to it, one way or the other.

Mr. RUSSELL. The agency was created in June 1941, which was before we were involved in the war and before we had granted to the President any war powers.

Mr. CHAVEZ. The Senator is correct. Up to this particular point that authority has not been questioned. I understood the Senator from Georgia so to tell me last week, when I asked him during the debate if anyone had questioned the authority of the Committee to act.

Mr. RUSSELL. The Senator from New Mexico is a lawyer, and, of course, he knows that a citizen cannot sue his Government without its consent. I do not know how the question of legality may be questioned when no citizen may go into court and sue a department of his Government for having imposed sanctions.

Mr. CHAVEZ. I recall that only a few weeks ago we had before us the matter which arose in Chicago involving the taking over by the Government of the Montgomery Ward plant. I was one of those who believed that possibly the Government did not have the authority for doing what it had done. However, the Government took over the plant. I questioned the authority of the Government to take over the Montgomery Ward plant, but it was taken over. There was subsequently some adjudication which caused me to believe that possibly I had been wrong and that the Government, after all, had the necessary authority.

Mr. RUSSELL. I do not believe there is any similarity between the issues involved in the case of seizing the Montgomery Ward plant and the right of the Government to seize a business by virtue of a citizen refusing to obey the rules of an agency not created by an act of Congress.

Mr. CHAVEZ. It is all a matter of opinion. There are some very good lawyers in the other House, and some of them are of the impression that the provision under discussion is legal. The members of the committee approved the provision, 14 to 6. Evidently they felt there was some authority for the provision.

Mr. President, there should be little necessity for elaborating on the reasons supporting the continuance of the President's Committee on Fair Employment Practice. Aside from the practical aspects of the matter, the same moral, social, economic, intellectual, and patriotic arguments could be summoned to sustain the unyielding Americanism of this appropriation which could be resorted to for purposes of upholding the provisions of our Declaration of Independence, our Constitution, and our Bill of Rights. Certainly, there is not a scintilla of moral error in the constitutional provision that every American citizen is guaranteed the certainty of these freedoms under law which will contribute to his enjoyment of life, liberty, and the pursuit of happiness.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article recently appearing in the press entitled, "Good Neighbors," written by Virginia Prewett.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOOD NEIGHBORS  
(By Virginia Prewett)  
MINORITY PROBLEMS

One of the most significant results of the American people's increased interest in New World relations in the last year or two is realization that something must be done about our Spanish-speaking minorities, the Mexican-Americans and the colonial Spanish of the Southwest.

War has made this problem more acute, as it has complicated every social and economic task the Nation faces. As yet no comprehensive official program has been launched to make a long-term attack on this specific maladjustment in the Nation's life, yet it is unfair and untrue to say, as extremists do say, that indifference continues and nothing is being done.

The fact is that as we fight a war spread out all over the earth and burn midnight oil over the coming peace, the American people still have attention and energy to take up this problem.

Scattered aid in economic difficulties has in the recent past been given by W. P. A., C. C. C., N. Y. A., Soil Conservation, and like programs. Yet official policy makers have recognized that the fundamental cure can only begin when the Anglo-Americans of the Southwest themselves consciously attack the prejudices barring the Spanish-speaking minorities from full share in the American heritage. The C. I. A. A. has been able to get a very modest sum to back a move in this direction and the results are heartening.



## TEXAN SOLUTION

The State of Texas has organized a Good Neighbor Commission with three Anglo-American and three Mexican-American members. Subcommittees are being set up in Texas cities and towns. Made up of representatives of the local chamber of commerce, the American Legion, and civic bodies, these committees will attack the problem direct by going to local establishments and explaining the need for nondiscrimination.

Educational campaigns through films, the radio, and the press will bring the need before the whole Anglo-American community. Ways will be found to bring Mexican-Americans into community activities.

The University of Texas and the whole State school system is cooperating fully in the educational campaign. This influence can scarcely be overestimated.

In New Mexico, where Spanish colonials make up a large part of the population, the State university has received a grant for a State-wide program. A field worker has canvassed many towns to find out what each one's biggest problem is.

## LOCAL COMMITTEES

Local committees have been set up and given partial financial aid in meeting their main need. Where juvenile delinquency was the first headache, recreational facilities have been provided for young Hispanos. In Pecos, for example, where Anglo-American and Hispanic-American juvenile gangs used to wage war on each other, they now go to each other's juke-box dances.

Very small Hispanic-American communities have done such things as put in a well for the school. It has been found that these communities, once shown the way, develop their own leadership and go forward toward solving other problems.

California's situation has been worsened by war shifts in population. Today the Southern California Council of Inter-American Affairs, with an advisory committee of Mexican-Americans, is hard at work. An outstanding achievement resulted this spring when the council asked industries, labor organizations, the W. M. C. and U. S. E. S. to compile data on the Mexican-American as a vocational worker.

The survey revealed that Mexican-Americans in industry have as good or better records on attendance, technical performance, up-grading and taking advantage of opportunities than Anglo-Americans. This directly explodes the old theory that "Mexicans are lazy" and "don't want to work" so long used against the Mexican-American worker. This idea comes from experience with Mexican-American farm workers who are in fact listless and hopeless in the face of a rigid system of peonage that they cannot get out of. When given a chance, this survey proved, the Mexican-American is as alert and enterprising as anybody.

## COLORADO'S PROGRAM

In Colorado, where four southern counties are heavily Hispanic, a program like the one in New Mexico is being set up. Denver has a very live inter-American center. When zoot-suit troubles involving the Mexican-American colony broke out in Denver this spring over 100 of the city's most prominent citizens got together and formed the Denver Unity Council. They have set up a permanent committee to investigate, and where possible, correct "situations involving discrimination or denial of legal rights on racial or religious grounds to anybody."

A clearing house for immediate action on all such incidents has been created. Study of minority group needs in housing, recreation, and health care has been undertaken.

The task of solving our Spanish-speaking minority problem is tremendous and it will take time and sustained effort to make head-

way. But a start is being made, and a start at the present time is great progress.

Mr. CHAVEZ. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Funds for F. E. P. C." published in the Washington Evening Star of May 31, 1944.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

## FUNDS FOR F. E. P. C.

The Fair Employment Practice Committee, in some respects the most controversial of the war agencies created by Executive order, crossed one hurdle in its fight for survival when the House, by a four-vote margin, approved an appropriation of \$500,000 for the agency, thereby exempting it from the death sentence which otherwise would have been imposed under the Russell amendment to the independent offices appropriation bill. A still higher hurdle in the form of Senate opposition remains, however, and if this proves insurmountable, the F. E. P. C. probably will go out of existence on January 1.

There are compelling reasons why the Senate should not permit this to happen. The fundamental purpose of the F. E. P. C. is to eliminate forms of discrimination which stand between minority groups, Negroes especially, and the realization of their legitimate economic aspirations. For the most part this program has been pitched on a note of wartime necessity for full utilization of labor, but this imparts a quality of impermanence to the effort which is unrealistic and harmful. For the undeniable fact is that there will be more need after the war than there is now for an intelligent effort to strike down the artificial handicaps that discrimination imposes on Negroes and other minorities in the job market.

At the moment, however, the problem is to keep the F. E. P. C. from passing out of existence this year. Unfortunately, the committee has made errors of judgment and these mistakes have inflamed some segments of public opinion against it. But these mistakes should not blind one to the fact that this agency, relying largely on methods of persuasion, has been able to do a great deal of good work.

Approximately 3,000 complaints of discrimination had been docketed by the F. E. P. C. as of the first of this year. Nearly 1,000 of these cases were closed by January 1, about one-third of them representing satisfactory adjustments. The others listed as closed were dismissed for lack of jurisdiction or other reasons. If that is not a sensational record it is at least an unexpectedly good one for an agency which has to work in a field that has so many explosive possibilities.

On the record, and in good conscience, this is plainly a program which should be continued. There are Senators, of course, who are not in sympathy with what the F. E. P. C. has been doing and who are skeptical of what it proposes to do. But this is a matter which should be settled in perfecting a bill to give the F. E. P. C. a permanent legislative status on which the House Labor Committee begins hearings tomorrow. Nothing constructive could be accomplished, but serious harm would be done, by permitting the agency to die for lack of funds while legislation to give it whatever powers Congress thinks it should have is under consideration.

Mr. CHAVEZ. I further ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Fair Practices," published in the Washington Post of June 13, 1944.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

## FAIR PRACTICES

There is a simple yet very vital issue involved in the current fight over funds for the Fair Employment Practice Committee. The issue is this: Shall economic opportunity in America be limited on grounds of race, creed, color, or nation of origin? There can be no doubt as to how the American people, or their representatives in Congress, would settle this issue if it were stated in these real terms. Unfortunately, however, the issue has been distorted and obscured—imbued with wholly irrelevant emotional overtones and linked with complex questions of inter-racial relations. Some of this confusion has stemmed from misunderstanding. Some of it has been intentionally obscurantist in purpose.

The F. E. P. C. has as its sole function the elimination of unwarranted discriminatory practices in the employment of American workers. It is not concerned with abstract questions of social equality between races. It is not attempting—and has never attempted—suddenly to make over the mores of any section of the United States. It is not trying to do away with segregation or any of the manifestations of Jim Crowism—however repugnant these may be to democratic principles. As the Committee Chairman, Malcolm Ross, phrased it in testimony before the House Labor Committee the other day, "The mass of the American people can do as they please in their private lives but when it comes to earning a living, someone else with the hire-and-fire power offers the terms and conditions under which a man can earn his bread."

Race prejudice is an ugly factor in American life. Nevertheless it is a real factor and needs to be faced. The F. E. P. C. did not create race prejudice—as some of its critics have irresponsibly suggested. It is simply a mechanism for counteracting the effects of race prejudice in the economic sphere. As such it performs a service which is indispensable to the freedom of minority groups and invaluable to the welfare of the American economy as a whole.

During the progress of the war, the F. E. P. C. has done much to integrate the skills and energies of minority elements into our production program. We should have had fewer tanks, and planes, and landing ships for D-day if workers had been barred from industry through discrimination. In the course of the past 10 months, the F. E. P. C. has ended 26 work stoppages in vital production fields which had their origin in unfair employment practices; 3 of them were serious strikes in the steel industry. Its orderly, understanding approach to labor problems of this nature will be needed more than ever when we encounter the problems of demobilization and reconversion. For in this period discrimination can create chaos. If whole classes of men are denied an opportunity to earn a living because of the color of their skin, they will become desperate and dangerous.

The House has voted an appropriation of half a million dollars to carry on the F. E. P. C.'s work. The Senate Appropriations Committee, despite an unfavorable subcommittee report, has recommended the approval of this sum. Today the Senate as a whole will begin discussion of it. We hope that the discussion will be concerned with the real issue—not with bugbears conjured up to obfuscate it. We cannot deny to citizens of the United States equality of economic opportunity.

Mr. CHAVEZ. I also ask unanimous consent to have printed in the RECORD



at this point, as a part of my remarks, an article by the Associated Press entitled "Officials Challenge Charges of Strained United States-Latin Relations." The article deals with remarks which had been made by Dr. Hernane Tavares De Sa, which appeared recently in one of the local newspapers.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OFFICIALS CHALLENGE CHARGES OF STRAINED UNITED STATES-LATIN RELATIONS

Officials here today questioned the assertion of a Brazilian educator that United States relations with Latin America have been deteriorating for months because of political, economic, and personal relationships, but Senator BUTLER, Republican of Nebraska, who toured South America last summer and returned highly critical of the good-neighbor policy, said he endorsed the educator's statement 100 percent.

Speaking before the International Education Assembly at Frederick, Md., yesterday, Dr. Hernane Tavares De Sa, who is on leave from the University of São Paulo while employed in the adviser's office of the Coordinator of Inter-American Affairs, scored the succession of big and small blunders by the United States, and said that politically, Latin Americans do not know and they fear what will be done after the war with Brazilian bases now being used by this Government.

Officials here emphasized that the war has caused economic disruption in all countries, and they said it was doubtful if any one country could be blamed for the economic dislocation of another.

BUTLER MENTIONS HIS REPORT

The Brazilian Embassy said Dr. Tavares in no way presented the views of the Brazilian Government.

Senator BUTLER said that Dr. Tavares' statement "confirms the main point I attempted to make in my report to the Senate after a 20,000-mile trip through Latin America last summer."

Senator BUTLER also expressed agreement with Dr. Tavares' assertion that United States propaganda has "backfired."

Dr. Tavares said United States short-wave broadcasts were "addressed to 12-year-old morons, where, as a matter of fact short-wave sets are owned only by people of some means who rely more on the British Broadcasting Co. because of higher standards."

"I would like to repeat what I said in my report to the Senate," Senator BUTLER said in this connection, "that we are making a terrible mistake in not treating those people as our equals. They even excel us in many respects."

ROCKEFELLER OUT OF TOWN

Nelson Rockefeller, Coordinator of Inter-American Affairs, was out of town and his office would make no comment.

Other officials, who requested anonymity, were sharply critical of the Brazilian's statement that the situation he described had been "very carefully kept out of the press in this country." They pointed out that Senator BUTLER's attack on the administration's Latin-American policy had been widely published, as well as recent reports of unrest, such as the revolts in El Salvador, Ecuador, and Bolivia.

As for his personal-conduct criticism, Dr. Tavares said United States officials sent to Latin America were "not carefully selected," that they "spent too much money" and many became "rowdy and drunk in the best casinos."

"Really, it is a minor thing," Dr. Tavares commented, "but these few give an impres-

sion of the United States all out of proportion to their numbers. The pity of it all is that Brazil is one Latin-American country where there existed general good will and a sympathetic attitude toward the United States even before the good-neighbor policy."

WIDE EXCHANGE OF STUDENTS URGED

He recommended an exchange of students "by the thousands" and of teachers as a vital part of relations with Latin-American countries, saying that "those who have lived in the United States for a year are your friends, no matter what the rest of their country may think, because they know the Americans."

Although Dr. Tavares was unsuccessful in his attempt to obtain a commitment from the assembly to invite Argentine representation to the next session, the representatives of 32 Allied Nations attending recommended that the executive committee consider inviting all nations.

Of the Argentine people, he said that "90 percent are out of sympathy with the regime." Dr. Tavares indicated he planned to leave his post of special adviser shortly and planned a Nation-wide lecture tour in October in an effort to better relations.

Mr. CHAVEZ. Mr. President, in order to carry out further the general idea, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Plain Boys From United States Are Edisons of Air," appearing recently in the local press.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLAIN BOYS FROM UNITED STATES ARE EDISONS OF AIR

(By Franklin Banker)

A United States Bomber Station in England.—Young "Edisons" by the dozens—they've invented more than 50 percent of their equipment—make the service squadron of this American bomber base one of the best in any theater of war.

These G. I. mechanics, electricians, and welders had to be "Edisons," for when they shipped here from the United States a year ago the things they didn't have outnumbered the things they had. Yankee ingenuity filled the gap.

These Eighth Air Force repairmen perform "major operations" on bombers when they return riddled by enemy bullets and sometimes have to crash-land. A plane is hauled into their hangar when its damage is too severe for the regular ground crew to fix.

These young geniuses have utilized everything so thoroughly that in 12 long months of the aerial war only two of their many battle-wrecked bombers had to be junked.

Although those two were junked, not a bolt was wasted. All the usable parts went into repairs for other bombers.

TIN CANS FOR PATCHES

In the pioneer months they patched up bullet-perforated fuselage with sheet metal made from tin cans. It wasn't possible to ship all the supplies they needed across the sub-infested Atlantic.

Staff Sgt. Robert M. Kinsall, Omaha, Ill., rigged up his own still when one broke down. Bombers had to have distilled water for their batteries.

They built their own pit for testing propellers, and their own overhead track to haul the heavy "props" around.

Once there was no time to wait for certain vital plane parts, so Staff Sgt. Ferdinand Yontis, Alexandria, Pa., dug up his own apparatus, melted down old parts, and cast them into the ones needed. This trick has been passed along to boys at other stations.

THEY FIX ANYTHING

Of all the tens of thousands of parts to a bomber, there's nothing this squadron can't fix.

The boss, 32-year-old Capt. Charles R. Lewis, Chicago, was an aeronautical engineer in peacetime. He could tell you enough of the inventions of his boys to fill a book.

"These boys are the most competent in the world," he declared. "They'll work 72 consecutive hours and pass up meals and furloughs to get our bombers back into battle."

"They won't go home with medals on their chests, but they'll know they had a great part in winning the war."

"And look who they are." He pointed to a roll call—Prosynchak, Hogan, Lacroix, Kalkbrenner, Rodriguez, and just plain Jones.

"That's America," he said. "That's the stuff Hitler will never lick."

Mr. CHAVEZ. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a short statement entitled "End of Intolerance for United States Minorities Demanded by Ickes," which appeared recently in the press.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

END OF INTOLERANCE FOR UNITED STATES MINORITIES DEMANDED BY ICKES

NEW YORK, June 6.—Secretary of the Interior Harold L. Ickes said last night the deliverance of the people of Europe must be accompanied by elimination of hate and intolerance for minorities at home.

"Here in the United States we cannot ignore the stark cold fact that we have a racial problem of significant proportions," he said at a testimonial dinner give Prof. Albert Einstein by the American Fund for Palestine Institutions.

"What good does it do," asked Mr. Ickes, "to send armies to Rome, Berlin, and Tokyo to 'liberate,' as we say, the inhabitants of those countries while denying people of those same extractions the liberation they have sought in this country?"

Declaring "we make certain our own eventual defeat so long as we tolerate intolerance," Mr. Ickes continued.

"The Soviet Union has apparently solved its racial and ethnic problems, after generations of conflict, but not on the basis of a mere negative idea of racial 'tolerance.'"

"It has done the job simply and directly on the principle that a man is a man and that he must rise or fall on the basis of his own character and ability."

"To talk of 'tolerance' for a man like Professor Einstein, or for the thousands of other outstanding Jews, Catholics, Negroes, and other minority peoples of this country is to imply that we permit them to live and work and associate with us on sufferance; that they are a burden which we bear in as genteel and Christian a spirit as possible. That, of course, is arrant nonsense."

Mr. CAPPER. Mr. President, I intend to support the request of the President, and the recommendation of the Bureau of the Budget, for an appropriation of \$500,000 for the Committee on Fair Employment Practice. The President has created this Committee to insure that discrimination against the colored man shall not be practiced in employment in any industries connected with the war effort.

I believe sincerely and strongly that the appointment of this Committee, for the purposes named in the Executive order creating it, should be recognized and



legalized by the Congress through making the appropriation recommended. Therefore I must vote against the amendment to strike this appropriation from the pending House bill. I realize the technical arguments advanced in support of the motion to strike the appropriation from the bill, but it seems to me that the main issue involved here goes deeper than legal technicalities.

I have devoted a good deal of my efforts as a publisher, as Governor of Kansas, and as a United States Senator from Kansas, toward obtaining for the colored man the equality of opportunity and the equality of treatment that the people of the United States have tried to accord him through the thirteenth and fourteenth amendments to the Constitution.

I am supporting the appropriation for the F. E. P. C. for the same reason I supported the measure to abolish the poll tax as a prerequisite for voting, while admitting the force of some of the constitutional arguments made against that proposed legislation.

The fact remains that the poll-tax laws in several States were written and have been enforced to deprive the Negro of the right of suffrage supposedly guaranteed him by the Constitution.

It also is a fact that there exists an unjustified discrimination against the Negro in many sections of industry, when it comes to employment.

The Congress has not hesitated to force the responsibilities of citizenship upon the Negro. When the draft laws operate, they recognize the equality of races. When it comes to employing men and women in industries, in the war industries, and in occupations related thereto, I believe we should be consistent. A race of people subject to the draft on an equality with the white man should also be accorded equality in obtaining employment to help prosecute the war on the home front.

In all my time in the Senate, I always have supported recommendations of the President, no matter who the President was or to what party he belonged when I felt he was right. In this instance I believe the President is right in attempting to end discriminations in employment due to race or color, and accordingly, in order to be consistent, I must support this appropriation.

#### APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE

Mr. McKELLAR. Mr. President, I will ask the Chair to lay before the Senate the message of the House of Representatives announcing its action on a certain amendment to House bill 4204.

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair) laid before the Senate a message from the House of Representatives announcing its action on a certain amendment of the Senate to House bill 4204, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,  
June 16, 1944.

Resolved, That the House still further insist upon its disagreement to the amendment of the Senate numbered 10 to the bill (H. R. 4204) making appropriations for the

Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes.

Mr. McKELLAR. I move that the Senate still further insist upon its amendment numbered 10, ask a further conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate at the further conference.

Mr. WHITE. Mr. President, will the Senator indicate what the amendment is which is still in controversy?

Mr. McKELLAR. I will ask the clerk to read the amendment.

The legislative clerk read as follows:

Census of Agriculture: For all expenses necessary for preparing for, taking, compiling, and publishing the quinquennial census of agriculture of the United States.

Mr. McKELLAR. That is all that is necessary.

Mr. WHITE. I merely wanted to know what the amendment was.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to; and the Presiding Officer appointed Mr. McCARRAN, Mr. McKELLAR, Mr. RUSSELL, Mr. BANKHEAD, Mr. CONNALLY, Mr. WHITE, and Mr. REED conferees on the part of the Senate at the further conference.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. MAURER, one of its reading clerks, announced that the House further insisted upon its disagreement to the amendments of the Senate Nos. 1, 3, 5, 7, 8, and 9 to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SNYDER, Mr. STARNES of Alabama, Mr. KERR, Mr. MAHON, Mr. POWERS, Mr. ENGEL of Michigan, and Mr. CASE were appointed managers on the part of the House at the further conference.

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

Mr. MEAD. Mr. President, I shall hurry along with my statement, and I hope I shall be able to point out that the F. E. P. C. is a very useful agency, that it was properly created, that its powers are wholly persuasive, that it has been fairly administered, and that it has a good performance record. I know there are those who are opposed to the task this agency is performing; they are opposed to the agency as it is now constituted, and they would be opposed to the agency if it were constituted by law. I know there are those who favor the work this agency is doing, but oppose the manner in which the agency was created. Then, there are those who favor the agency and its work and who are able consistently to go along with the agency as it has been set up by the President.

Mr. President, to realize the necessity that prompted the President to create this agency we would have to go back to the dawn of the manpower problem. It will be recalled that early in 1941 when we realized that an emergency was upon us it then became necessary for our own security to prepare to strengthen the military services of our country. It will be recalled that at that time there were drives by radio and in the press in an endeavor to spur productivity, industrial output, and the emergency program generally. It will be recalled that even before Pearl Harbor the President, under his emergency powers as Commander in Chief, took over a Los Angeles utility. Furthermore, he took over a large aviation plant, which indicated the approach of the acute manpower problem. Emergency methods were then adopted. Over-age men as well as thousands of women who never saw the inside of an industrial plant, even children in high school and grammar school, were employed in occupations in connection with the Nation's defense effort. But, Mr. President, all this failed to meet the requirements of industry and as a result the Nation was not sufficiently geared to meet the productivity which was required.

The Federal Government then addressed a questionnaire to the war goods manufacturers of the country, asking how many of them had new jobs open—open to Negroes. Fifty-one percent of all that were questioned had jobs both for skilled and unskilled labor, but they could not employ Negroes, and they gave as their answer, "employment policy."

Mr. President, Pearl Harbor came and with it congressional authorizations beyond the imagination of man for the production of war material and equipment, the like of which the world had never before visioned. Then and only then the President, in the acute emergency, the most serious crisis in all the history of our country, was called upon to take necessary action. He created the Fair Employment Practice Committee in order that every available man and woman and child who was eligible otherwise might become a part of the great war-producing machinery of the Nation. Millions of our citizens until that time could not make their full contribution. There were factories and industries and machines of all kinds; there were millions of workers and yet there was a discriminatory labor policy that kept them miles apart. So, Mr. President, this agency was created. It was created in one of the darkest periods of our country's history. It was organized at a time when we were contemplating going beyond the shores of America to import men and women from outside to help in the emergency at a time when we were denying some of our own people the opportunity to work for the war effort.

Mr. President, what is the record of the Fair Employment Practice Committee? I read the record, and I read the hearings and the debates in the House of Representatives. First of all, what does the Executive order cover? I now read from the last Executive order of the President the following:



Now, therefore, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States, and Commander in Chief of the Army and Navy, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of any person in war industries or in Government by reason of race, creed, color, or national origin, and I do hereby declare that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this order, to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin.

Mr. President, I should say again, so that we may have firmly in mind the limitations placed upon this Committee, that they are, as the President said, "In regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin."

Then he calls upon all contracting agencies of the Government to cooperate with the Committee, and he concludes by stating:

There is hereby established in the Office for Emergency Management of the Executive Office of the President a Committee on Fair Employment Practice, hereinafter referred to as the Committee, which shall consist of a chairman and not more than six other members to be appointed by the President. The Chairman shall receive such salary as shall be fixed by the President not exceeding \$10,000 per year. The other members of the Committee shall receive necessary traveling expenses and, unless their compensation is otherwise prescribed by the President, a per diem allowance not exceeding \$25 per day and subsistence expenses on such days as they are actually engaged in the performance of duties pursuant to this order.

The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order. The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.

The Committee shall receive and investigate complaints of discrimination forbidden by this order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

Mr. President, this Committee has only persuasive powers, advisory powers, and consultative powers, and I believe the record from which I shall now read will convince anyone that the Committee has carried out its responsibilities in a very fair manner.

The pamphlet which I shall have printed with my remarks is now 4 months old. From July 1, 1943, to April 3, 1944, F. E. P. C. handled 4,435 cases, including among these the 1,016 which were pending as of July 1, 1943, when the new Committee was formed. During this period it has received 3,419 new cases and has closed 2,286. Almost 40 percent of these have been closed in a satisfactory manner. The others were closed for lack of jurisdiction, insufficient evidence, lack of merit, or withdrawal by complainant. These last 4 categories,

nevertheless, represent allegations of discrimination which would have remained as continuing disputes had they not been subjected to a careful examination by a third party. In spite of a large number of closings, F. E. P. C.'s case load has continued to grow, and now stands at 2,149 pending cases. It is also interesting to note that during 1943 and 1944, F. E. P. C. has participated in the settlement of 25 work stoppages which occurred for racial reasons.

I ask that a pamphlet prepared by the Division of Review and Analysis of the F. E. P. C. be printed at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. MEAD. In that connection, Mr. President, they have made a worth-while contribution to the war effort. Only two of all the thousands of cases heard have been referred to the President. As I have said, they aided in the settlement of some 25 strikes. They were commended by the War Department; they were commended by big industrial corporations, such as the Jones-Laughlin Steel Co.; they were commended by governments, including the Mexican Government. They were supported by the American Federation of Labor, by the C. I. O., and by a number of leading church organizations.

Mr. President, the whole production program, which was at stake, has been lifted immeasurably as a result of the successful efforts of the Committee to bring together millions of men and women who are filling skilled and unskilled positions—our own citizens, many of them made eligible to fight under the Selective Service Act, but denied the right to work under employment policies.

Mr. President, our advocacy of the rights of the minority groups has helped us immeasurably, as has been pointed out in the debate. It has helped in Central and South America and elsewhere throughout the world. Its effect on our prestige has been most salutary.

To destroy this agency now, after it has been started in the midst of this global war, in which we are carrying the torch for the "four freedoms," advocating the rights of minorities everywhere, would, in my judgment, leave America in a most embarrassing position. It would be inconsistent with our traditions. It would be inconsistent with the votes of Members of the Senate who have this week, and last week, voted for an agency created by Executive order, created to make its contribution, just as this agency was created, for increased productivity, for increased unity, and for increased teamwork in this country, and I shall take time, if necessary, to read the names of the 15 agencies created by Executive order for which we have voted appropriations here in the Senate, and which in most cases we have never questioned the right of the Executive to create. Nor has anyone, to my knowledge, questioned the legality or the illegality of these agencies. It would be inconsistent, I believe, if we were to

single out this agency and deny it funds while allowing the others to go through without opposition on our part.

Now, Mr. President, what have we done in that connection? We have supported the Office of Censorship, created by Executive Order 8985, dated December 19, 1941. We supported the appropriation for the Petroleum Administration for War, created by Executive Order 9276. We supported the appropriation for the Office of Strategic Services, created by Executive Order 9312.

There is much other data which I shall not take time to read, but which I shall make part of my remarks so that others may read them if they so desire.

We supported the Central Administration Services, created by the liaison officers of the Office for Emergency Management pursuant to a letter from the President dated February 28, 1941.

We supported the Office of Civilian Defense created within the Office for Emergency Management by Executive order 8757; the Office of Coordinator of Inter-American Affairs, created by Executive order 8840; the Office of Defense Transportation created by Executive order 8989; the Office of Scientific Research and Development created by Executive order 8807; the Office of War Information created by Executive order 9182; the Office of War Mobilization created by Executive order 9347; the War Production Board created by Executive order 9024; the War Relocation Authority created by Executive order 9102; and the War Shipping Administration created by Executive order 9054.

Mr. President, I wish to place in the RECORD some information which I believe will be helpful in our determination of the question whether there is legality, authority, constitutional support for, or some congressional policy consistent with the action taken by the President in creating the agency in question. I point out in that connection that in my judgment it would be inadvisable, after we have supported appropriations for these other agencies, to make a determined fight now on this one agency while appropriations for the other agencies were permitted to go through this body and with our support.

Mr. RUSSELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Georgia?

Mr. MEAD. Yes; I yield.

Mr. RUSSELL. I have listened with great interest to the reading of the list by the Senator from New York. Of course, some of those agencies were created directly to implement acts of Congress which had been passed since the outbreak of the war; but aside from that I should like to ask the Senator from New York if he can specify any one of the long list of agencies he has read which, without being predicated upon as an act of Congress, claims the authority to cite American business before them, and to compel American business, through the threat of sanctions, or through the denying of contracts, to follow employment practices prescribed by the Fair Employment Practice Committee.



Mr. MEAD. Mr. President, in that connection I shall refer to the record of the proceedings of the House and to a very interesting statement by a representative of the minority party who has had more opportunity for investigation than I. I trust this statement will, at least, leave the thought that in the policies oftentimes approved by the Congress, and in the Constitution of the country itself, and in the authority conferred upon the President in the War Powers Act, there exists at least a reason sufficient to satisfy us that this agency has a right to the appropriation which is now pending before us.

The matter was brought up in the House and Representative VORYS of Ohio explained that he was opposed to appropriations for purposes not authorized by law. It was troubling him, as it has been troubling my distinguished colleague from Georgia and other Senators in this Chamber. He said:

But since the discussion of this particular section on fair-employment practices began I have been looking into the books a little bit.

Mr. President, not being a lawyer I am leaning on the legal minds of my colleagues, and I find support for the pending provision in its approval by the other House. I find further support for it in the approval by a majority of the Senate Committee on Appropriations. And I find still further support for it in the approval we have given these other agencies without too much difficulty in the past—in fact, to some of them only last week. Representative VORYS proceeds to say, after explaining that he has made some inquiry:

I find that under the fourteenth amendment there is a requirement that no State shall "deny to any person the equal protection of the laws." Section 5 of that amendment provides that Congress shall have power to enforce the provisions of this article.

On May 31, 1870—

Representative VORYS goes on—  
74 years ago—the first one of the civil rights statutes was passed. Let me read it to you—

He says to his colleagues of the House, and he quotes from the law:

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other (8 U. S. C., sec. 41).

Then Mr. VORYS continues:

This 74-year-old law is very broad. It guarantees equal security under the law, for all races, and would bar almost every conceivable form of economic racial discrimination.

Then he continues:

I find since 1933 that the Congress has enacted for relief, public works, and other provisions, 24 different requirements forbidding discrimination because of race, color, or creed. I find that since the national defense program started, Congress has enacted, for instance, in the Selective Service Act, and I quote:

"There shall be no discrimination against any person on account of race or color"—  
September 16, 1940.

Mr. President, before I continue to read from the remarks of our colleague, Mr. VORYS, in the House, let me say that any Senator who voted for the Selective Service Act which prohibits discrimination because of race, color, or creed will find it difficult, in my judgment, to vote against the pending appropriation, which prevents discrimination because of race, color, or creed in connection with getting jobs to support the men who are over there fighting for us on the battle fronts of the world.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MEAD. I have not concluded reading from the statement by Mr. VORYS.

Mr. RUSSELL. But the Senator has gone off into another question and made the statement that he did not see how any Member of the Senate could vote against this "legislation." I merely wish to point out that this is not legislation. This is an appropriation bill.

Mr. MEAD. Sometimes we refer to appropriations as legislation. We pass legislation in the form of appropriations, but I will stand corrected. This is an appropriation. Nevertheless, it still is going to be difficult for Senators to vote against this item, which protects a man in his job, when previously they voted to enlist that man in the service, for if he were not here to assume a job in one of our industrial factories, he could be over there fighting to defend our country and its security.

Mr. VORYS continued:

In the defense public-works appropriation, June 28, 1941, was the requirement—

And this is an appropriation—

"Public works shall be provided on the basis of need and in determining need no discrimination shall be made on account of race, creed, or color."

That was the policy of the Congress at that time when there was only an appropriation item before Congress. Mr. VORYS continued:

During the war period there has been a provision for training of defense workers. I quote:

"No trainee under the appropriations provided for \* \* \* shall be discriminated against because of sex, race, or color."

That is the policy laid down by the Congress again and again. Representative VORYS continued:

We enacted this October 9, 1940, and again on July 1, 1941, and again in 1942.

The Congress would not have provided for training defense workers without discrimination as to color if they had not expected those defense workers to be hired after they were trained without discrimination under the general laws for war contracts that Congress enacted.

Thus the Executive had and has, I submit, the duty, the obligation of executing the laws that Congress has enacted under the constitutional provisions of the fourteenth amendment.

The Executive could point out these laws to all of the agencies and authorize and direct them to prevent discrimination, but

instead of that the Executive has appointed one Committee, without any coercive power, with only persuasive power, to enforce these provisions. There may have been abuses of that power. There may be places where this Committee is not functioning properly, but from the records of the hearings I find that the result is that at the present time only about 7 percent of Negroes are employed in war industries, although the population figure is about 10 percent.

The Representative from Ohio was speaking about the comparative percentage of the Negroes to the white population of the United States. He added:

I find that in only two cases have they taken the most drastic action the Committee can take, and that was to refer the matter to the Chief Executive. They say that all they are doing is to make sure that war contractors carry out an antidiscrimination provision in war contracts, which the Executive has the right, and probably the duty to insert, to carry out the fourteenth amendment as implemented repeatedly by Congress.

I should remind my colleagues that Mr. VORYS explained at the very beginning of his remarks that he found it difficult to vote for appropriations for agencies created by Presidential directive. He said:

If we want to look into this thing on its merits, this would be one instance where the Executive is executing laws which the Congress itself has enacted over a period of 74 years; 24 of these laws in the last 10 years and a great many of them in the past few years during the war emergency period. Therefore, I cannot see where this argument comes from that there is no authorization in law for the work of the F. E. P. C. This is simply an appropriation to see to the carrying out of laws we have made. Laws against discrimination do little good on the books. To be effective, they must be carried out in action. That is what this Committee is for. In my judgment this is not comparable to a number of other agencies that have sprung up without any authority in law. If this agency is abusing its powers we should limit it, but not destroy it.

Mr. President, I find in the CONGRESSIONAL RECORD, on page 5141, in the statement by Representative VORYS of Ohio, an argument which to my mind lays the groundwork for the consistency of performance which I believe the Congress should show in passing upon appropriations of this character.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MEAD. Yes; I yield.

Mr. RUSSELL. I can well appreciate the reasons why the Senator should make it perfectly clear that the legal opinion which he is reading is not his own. I am quite sure that if the Senator had stated his own legal opinion, he would not have argued any far-fetched idea that we can predicate the legality of this agency on the fourteenth amendment to the Constitution. That argument is incomprehensible to me. I thought that every lawyer in the United States who had been able to obtain a license to practice knew that the fourteenth amendment to the Constitution imposed limitations on the powers of the several States. The fourteenth amendment is directed against the States. I



wish to read five lines from it. This is the heart of it:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

The fourteenth amendment is a limitation upon the powers of the States, and I am amazed that any Member of the House of Representatives or anyone else should assert the fourteenth amendment as the basis for the legality of this Executive order. I am all the more amazed because the last section of the fourteenth amendment provides as follows:

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

The constitutional provision does not say that the Chief Executive of the United States may issue a proclamation to enforce the fourteenth amendment. It specifically provides that the Congress of the United States shall have the power to see that no State deprives any citizen of any right by virtue of discriminatory laws. The fourteenth amendment to the Constitution of the United States was never considered as other than a limitation upon the powers of the States. Any lawyer who can issue an opinion that this amendment to the Constitution of the United States, clearly imposing limitations on the powers of the sovereign States authorizes the action of the Executive in creating an agency of this kind by Executive order, has only my sympathy. Any other clause or provision of the Constitution would be just as applicable.

Mr. MEAD. Mr. President, I know nothing about the merits of the legal attainments of the Member of the House whose statement I have quoted. I therefore would not wish even to attempt to compare his legal ability with that of my distinguished colleague from Georgia.

Mr. RUSSELL. It is not a question of legal ability. Anyone who can read the fourteenth amendment—he does not have to be a lawyer—can see that it provides that no State shall take such action as is forbidden. I do not understand that this Committee has ever claimed that it was created to repeal or interpret any State law. It is a Federal agency, and it is not proposing to protect the citizen against State legislation, but merely to protect him against what is alleged to be discrimination by individual employers.

Mr. MEAD. I inferred from what the Senator said about any lawyer in the United States arriving at that conclusion—

Mr. RUSSELL. Frankly, I am amazed that any lawyer in the United States should voice the opinion that the fourteenth amendment gave the President any power to create such an organization as this.

Mr. MEAD. I know little about the legal merits of this question. However, from the lawyers in both Houses, from the action of the committees in both

Houses, and from what we have done in the matter of 15 other agencies created by Executive order, it seems to me that we are going out of our way and reaching into the clouds, as it were, for some reason or excuse to destroy one particular agency at this time. That course does not recommend itself to me as being consistent.

Mr. President, before I conclude this observation, let me say that evidently Representative VORVY of Ohio gave some thought to this question. In addition to that portion of the Constitution which has been the subject of discussion, he also cited some 24 laws enacted by the Congress in the past 10 years which placed the Congress on record in favor of policies similar to the policy set forth in this item in the appropriation bill.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MEAD. I am glad to yield.

Mr. REVERCOMB. I have listened with interest to the very able argument of the Senator from New York. I may say I am quite in accord with the general purpose of providing equality of opportunity to work and equality of employment. I shall not go into the matter of the legality of the particular agency here involved. I wish to ask the Senator for information. I am very much concerned with this point, and should like to obtain any enlightenment on it which the Senator can provide or any explanation of it. Is not the agency one which has no limitation whatsoever on its power? Is it not an agency which may act without restraint upon the subject matter involved?

For instance, in the testimony given by Mr. Ross, I notice that he was asked the following question:

You have decided, so far as your agency was concerned, that you do have the power to set aside existing agreements between employers and labor unions.

The answer was "Yes."

Does that mean that after a labor union and an employer have entered into an agreement of employment, and have fixed the terms of employment, if in the contract there is something which this agency feels is not right or, in its judgment, is not fair, the agency may, without restraint, interfere, and may terminate the contract? I find that the head of the agency has said the agency does have such power.

That strikes me as a very dangerous thing. I care not with what subject the agency deals. I care not what the problem may be. However good the purpose, however good the motive in creating the Committee, it seems to me it has unlimited power, is the sole arbiter of what it thinks is right or wrong, and from its decisions, if I am correctly informed, there is no appeal.

I should like to have the views of the able junior Senator from New York upon that matter.

Mr. MEAD. Mr. President, before I direct my attention to the question presented by the able junior Senator from West Virginia, I wish to ask unanimous consent to have printed in the Record at this point a statement on the constitu-

tionality of the F. E. P. C. I trust it will receive the attention of the Senate. In it will be found quotations from amendments to the Constitution, cases before the courts, extracts from decisions in which Mr. Chief Justice Stone and Mr. Associate Justice Murphy have rendered opinions, and extracts from the decisions of the Supreme Court in the case of Perkins against Lukens Steel Co. and in the case of Myers against United States. They clearly recognize, as is indicated in the memorandum, that the President may delegate his administrative powers. The memorandum contains many other interesting observations on the constitutionality of the F. E. P. C. I ask unanimous consent that the memorandum may be printed at this point in the Record, as a part of my remarks.

Mr. RUSSELL. Mr. President, does the brief also advert to the fourteenth amendment?

Mr. MEAD. No; I do not believe so. The brief is very general. It covers a number of articles of the Constitution and a number of laws enacted by Congress, attributed to those articles, other than the fourteenth amendment.

Mr. RUSSELL. I shall be very happy to read it.

The PRESIDING OFFICER. Is there objection?

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

#### CONSTITUTIONALITY OF F. E. P. C.

It has been claimed that it has no standing in our form of Government, because it is merely the product of the pen of the President of the United States, who has no power to legislate.

To understand the creation of this agency, it is necessary to go back to 1940, when we began to change our economy from a peacetime to a wartime arsenal. Negroes were denied the right to make the munitions of war, while at the same time they were being drafted to fight for our country. As late as 1942, Negroes constituted only 3 percent of the employees in war production. This was the result of a long history of exclusion of Negroes from the production lines of industry.

Faced with the dire necessity of using every available man to produce the weapons of war, and with the continued practice of exclusion of Negroes in vital industries in the Nation, the President, on June 25, 1941, created a Committee on Fair Employment Practice in order to insure the maximum utilization in war industries and in Government of all available manpower, regardless of race, creed, color, or national origin. Thousands of complaints had descended from groups which had been shut out of war production. These indicated clearly that a huge segment of our population was in great danger of being disaffected from support of our struggle against Hitler. The President, therefore, instructed his Committee to receive all these complaints, to sift them, and to attempt to adjust them. He also gave the Committee authority to hold hearings and to take appropriate steps to eliminate the discrimination.

As Chief Executive of the United States, the President is vested with the executive power (Constitution, art. II, sec. 1, cl. 1). He takes an oath that he will faithfully execute the office of President of the United States and will, to the best of his ability, preserve, protect, and defend the Constitution of the United States (Constitution, art. II, sec. 1,



cl. 7). "He shall take care that the laws be faithfully executed" (Constitution, art. II, sec. 3).

It would seem to follow from these constitutional mandates that the President, as Chief Executive, is authorized to proclaim as a policy of the United States, arising from the innate character of the American people, implicit, if not express, in the Declaration of Independence, in the Constitution of the United States and amendments thereto, and in the bills of rights in various State constitutions, a doctrine of immunity of the workers of the land from discrimination because of race, creed, color, or national origin, and to direct that all contracting agencies of the Government shall insert a provision in all Government contracts, to be included in subcontracts, which shall maintain the policy which he has proclaimed.

The policy of nondiscrimination contained in Executive Orders 8802 and 9346 is not a new one. During the past 10 years the Congress itself has outlawed discrimination because of race, creed, or color in legislating for unemployment relief, public-works projects, the Civilian Conservation Corps, civil-service classification acts, the training of civilian aircraft pilots, the National Youth Administration, the Selective Training and Service Act, the training of defense workers, the building of public works necessary to the defense program, and the Cadet Nurse Corps for Government and civilian hospital service.

Other Government agencies have likewise adopted principles and practices of nondiscrimination. The National War Labor Board a year ago announced in the *Southport Petroleum Co.* case the principle of "equal pay for equal work." It directed the elimination of a colored wage rate which was lower than the white race for identical work.

On several occasions the Supreme Court has spoken out against discrimination. In *New Negro Alliance v. The Sanitary Grocery Co.*, Mr. Justice Roberts, speaking for the Court, said:

"The desire for fair and equitable conditions of employment on the part of persons of any race, color, or persuasion, and the removal of discrimination against them by reason of their race or religious beliefs is quite as important to those concerned as fairness and equity in terms and conditions of employment can be to trade or craft unions or any form of labor organization or association. Race discrimination by an employer may reasonably be deemed more unfair and less excusable than discrimination against workers on the ground of union affiliation."

And in *Hirabayashi* against the United States, Chief Justice Stone stated:

"Distinctions between citizens solely because of their ancestry are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality. For that reason legislative classification of discrimination based on race alone has often been held to be a denial of equal protection."

Mr. Justice Murphy, concurring in the same case, said:

"Distinctions based on color and ancestry are utterly inconsistent with our traditions and ideals. They are at variance with the principles for which we are now waging war. We cannot close our eyes to the fact that for centuries the Old World has been torn by racial and religious conflicts and has suffered the worst kind of anguish because of inequality of treatment for different groups. There was one law for one and a different law for another. Nothing is written more firmly into our law than the compact of the Plymouth voyagers to have just and equal laws."

Pronouncement of policies by Presidents is a long-established practice. While differing in kind, yet based on a similar author-

ity, are such Presidential proclamations as that of Flag Day, the pronouncement of the "four freedoms" in the Atlantic Charter, and, more remotely, the declaration of the Monroe Doctrine. There is sufficient moral and patriotic justification to sanction the declaration of a policy of nondiscrimination against workers because of their race, creed, color, or national origin.

The power of the President to prescribe terms and conditions in a Government contract has been clearly recognized by the Supreme Court in *Perkins v. Lukens Steel Co.* (310 U. S. 113, 127).

"Like private individuals and businesses, the Government enjoys the unrestricted power to produce its own supplies, to determine those with whom it will deal, and to fix the terms and conditions upon which it will make needed purchases."

Although the Perkins case dealt with wage provisions to be inserted in Government supply contracts pursuant to the Public Contracts Act (49 Stat. 2036, U. S. C., title 41, sec. 35), there is nothing in the opinion which would limit the application of the quotation to provisions or conditions provided by statute, or which would prevent the President, in absence of congressional restrictions, from prescribing terms and conditions of a contract, at least when such terms and conditions are reasonable.

In time of war and of labor shortage, the powers of the President, not only as Chief Executive but as Commander in Chief of the Army and the Navy of the United States (Constitution, art. II, sec. 2, clause 1), would seem to emphasize the President's power and to reaffirm the reasonableness of his direction in the present instance.

Nor is it any less certain that the President, as Chief Executive, may instruct the proper departments and agencies of the Government to assure that training and vocational programs shall be administered without discrimination because of race, creed, color, or national origin. In time of war his power to do this becomes even more obvious and his direction to prevent such discrimination, more reasonable.

As to the formation of the Committee on Fair Employment Practice and the enumeration of its functions, it would seem manifest that in time of peace the President, as Chief Executive, would be empowered to establish such a committee. The Committee is not a contracting agency of the Government. Its duties are investigatory and advisory. In pursuance of the policy declared by the President, it makes recommendations to achieve the purposes of the order. It is difficult to perceive wherein the President can be said to have transcended his power as Chief Executive by providing that such investigations, declarations of policy, and recommendations shall be carried on for him by the Committee on Fair Employment Practice.

The case of *Myers v. United States* clearly recognizes that the President may delegate his administrative powers (272 U. S. 52, 117):

"The vesting of the Executive power in the President was essentially a grant of the power to execute the laws. But the President alone and unaided could not execute the laws. He must execute them by the assistance of subordinates. This view has since been repeatedly affirmed by this Court (*Wilcox v. Jackson*, 13 Peters 498, 513; *United States v. Eliason*, 16 Peters 291, 302; *Williams v. United States*, 1 How. 290, 297; *Cunningham v. Neagle*, 135 U. S. 1, 63; *Russell Co. v. United States*, 261 U. S. 514, 523). As he is charged specifically to take care that they be faithfully executed, the reasonable implication, even in the absence of express words, was that as part of his Executive power he should select those who were to act for him under his direction in the execution of the laws."

When the powers of the President as Commander in Chief are added to those of Chief

Executive, and when the function of investigation by the Committee on Fair Employment Practice is that of encouraging the fullest utilization of the Nation's manpower for the successful prosecution of the war, it is further difficult to perceive wherein this activity constitutes an unconstitutional exercise or delegation of powers by the President.

The argument that the item appropriating \$500,000 to the F. E. P. C. should be stricken from the war agencies appropriation bill because the President had no authority to create F. E. P. C. should be examined in the light of the language of the First War Powers Act, enacted by Congress December 18, 1941. Title 1 of that act, among other things, authorizes the President "to make such redistribution of functions among executive agencies as he may deem necessary, including any functions, duties, and powers hitherto by law conferred upon any executive department, commission, bureau, agency, governmental corporation, office, or officer, in such manner as in his judgment shall seem best fitted to carry out the purposes of this title (secs. 601-605 of this appendix), and to this end is authorized to make such orders as he may deem necessary."

Executive Order 8802 was issued by the President June 25, 1941, prior to the enactment by Congress of the First War Powers Act. It is to be noted from the language above that in passing the First War Powers Act, Congress recognized the existence of executive agencies. Moreover, the language above quoted indicates that Congress recognized the existence of executive agencies with functions, duties, and powers which had not been conferred by congressional act. The War Powers Act speaks of the "redistribution of functions among executive agencies \* \* \* including any functions, duties, and powers hitherto by law conferred."

No question was raised when the First War Powers Act was enacted as to the authority of the President to create F. E. P. C. or any of the other executive agencies which existed at that time. On the contrary, their existence was recognized and the President was expressly authorized to redistribute their functions.

It is clear from the above that the attack now being made on F. E. P. C. as distinguished from other executive agencies is not based upon any sincere belief that the President had no power to create F. E. P. C.; rather it is based upon the fact that F. E. P. C. function is objectionable to those who would destroy it. This is made clear by the proposed amendment to the F. E. P. C. appropriation item which would limit the number of minority group persons to be employed by F. E. P. C.

If the argument that the President had no power to create F. E. P. C. was being advanced sincerely, it would be advanced against all other Executive order agencies. The fact that F. E. P. C. has been singled out for attack should convince any fair-minded person that the real objection is to the appropriation of any Federal funds in support of an agency charged with the responsibility for eliminating discrimination against Negroes and other minorities.

This entire constitutional argument is a smoke screen to hide the real issue. The real issue is the race issue, as all of us know. For, if the Senator from Georgia is so perturbed about Executive order agencies, why has he kept silent about other agencies similarly created?

Only a few days ago the Senate approved a huge appropriation for the War Manpower Commission. This agency was likewise created by Executive order (No. 9139, of April 18, 1943). It concerns itself with the maximum utilization of manpower. Like the F. E. P. C., it seeks to eliminate discrimination in employment based upon race, creed, color, or national origin. It has no specific statutory authority. Unlike F. E. P. C., it has vast coercive powers. It can shut off an employer's labor supply, it can require him to hire



solely through the United States Employment Service, it can forbid a man from working in essential industry unless he complies with its regulations.

There are other agencies in this very war agencies appropriation bill which have no more statutory authority than the F. E. P. C. In fact, 13 of the 17 agencies were created by Executive order. Some of these agencies exert rights over American citizens. Among these agencies are the Coordinator of Inter-American Affairs, the Office of Civilian Defense, the Central Administrative Services, the Petroleum Administration for War, the Office of Defense Transportation, the Office of War Information, the Office of War Mobilization, the War Relocation Authority.

This demonstrates the insincerity of the so-called constitutional opposition to the F. E. P. C. The real basis for this opposition is that a Federal agency is attempting to break down patterns of racial discrimination in employment and to further the national policy of equal job opportunity.

Mr. BILBO. Mr. President, will the Senator yield to me?

Mr. MEAD. I am pleased to yield.

Mr. BILBO. Does the Senator object to stating the name of the author of the memorandum?

Mr. MEAD. No; this is my own, gathered from the testimony, the hearings, and the record thus far established with reference to this legislation.

Mr. President, under the terms of the Executive order it is prescribed:

The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order.

In fact, any of the recommendations made by the F. E. P. C. to other agencies are merely advisory. Its recommendations may or may not be followed by the other Government agencies, and there is no authority in Executive Order 9346 or in any law or statute which could force any other governmental agency to obey any recommendation of the F. E. P. C. to withhold contracts, priorities, and so forth, from any private person. That is my understanding.

I wish to quote further:

The F. E. P. C. has no enforcement power. Its findings and directives are merely advisory, and the President's actions or non-actions stem from his own constitutional powers as President and Commander in Chief and not from any alleged power under the provisions of Executive Order No. 9346.

Mr. REVERCOMB. Mr. President, let me inquire from what the Senator is reading.

Mr. MEAD. I am reading from information gathered from the statements made by members of the board of the F. E. P. C., by Members of Congress, and by others at the hearings before the House and Senate committees. If the Senator will read the hearings and the congressional debates he will find that on several occasions it has been stated that the Committee's power is advisory and consultative, and that it has no power under the Executive order to force any Government agency to obey any recommendations made by it to withhold from any private person contracts, priorities, and so forth. The authority exercised stems from the authority of the Chief Executive, the Commander in Chief, to whom

F. E. P. C. cases are finally referred, if they progress that far. But in all the history of the F. E. P. C. only two cases have ever reached the President of the United States.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. MEAD. Yes; I am glad to yield.

Mr. REVERCOMB. I take it that the Senator is reading from a summary or a résumé which he has made from the testimony in this case. However, I wish to direct the Senator's attention to page 178 of the hearings before the Senate subcommittee of the Committee on Appropriations. At that hearing the following question was addressed—I have previously referred to this matter, but I wish to ask the Senator about it again—to Mr. Ross, who is a member of this Committee:

You have decided, so far as your agency was concerned, that you do have the power to set aside existing agreements between employers and labor unions.

His answer was "Yes."

In the face of that statement, which is a statement from a member of the Committee himself, that he has the power to set aside agreements—

Mr. RUSSELL. Mr. President, he is the Chairman of the Committee, and is the only full-time member.

Mr. REVERCOMB. In the face of that statement, how can it be said that he does not have that power, when he has said he does have it?

I am asking for information, in order to be enlightened on this subject.

Mr. MEAD. I have not had an opportunity at this moment to read the testimony which preceded the statement just quoted or the statements which followed it, but I am sure it was a part of the hearings and I take it for granted that the statement was made by the Chairman of the Committee, but if the able Senator will read the Executive order he will find that the Committee does not have the authority which is expressed by the Chairman in that particular instance, and I reiterate that, to my satisfaction, the record indicates such to be the case. On appeal to the President by the F. E. P. C., the President may, under the law, exercise his authority, which is only his authority, and which is not the authority of the Committee itself.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. MEAD. Yes; I am glad to yield.

Mr. REVERCOMB. Upon the same subject, I have before me, on page 549 of the hearings before the House subcommittee of the Appropriations Committee, an order or statement issued by the agency itself. It says:

The obligation to include the nondiscrimination clause exists even though the contract involves nonwar activity.

It was my understanding that this was an agency established by the President as a war measure for the duration of the war, dealing with war emergencies, as a part of his office. If that be so, then how can that agency assume unto itself the power to issue an order of the kind which has been discussed here, and go into every contract in which the Govern-

ment may be interested, involving even the leasing of grazing land in the West? How can the Committee assume unto itself the power to issue orders dealing with all kinds of contracts?

I may say to the able Senator from New York that the purpose of the provision may be a very good one. I believe that an employer is foolish and wrong if he discriminates on account of race or creed. But shall we finance an agency which assumes powers of the kind under discussion, with which, apparently, it was never lawfully endowed? How far will it be permitted to go without restriction?

Instead of the agency being one to establish fair relations between persons, the danger is that without limitation of its authority it may seize power to act unfairly. Apparently the Committee has already done so, because its Chairman has said that it has the right to terminate, if you please, a contract entered into between an employer and a union of employees. That is going pretty far. Why cannot the whole objective be attained by the passage of a proper law containing proper restrictions? Why must we consent to giving carte blanche power without restrictions to an agency upon any subject? I ask the question in order to be advised.

Mr. MEAD. Mr. President, I shall hurry on because I had intended to conclude my remarks before now. I will admit that the Chairman of the Committee made the statement to which the Senator from West Virginia has referred; but I will not admit that the Committee has gone so far as one might be led to believe from the observations which my distinguished colleague from West Virginia has made.

I may say that the House committee, before which the statement referred to was made, was perfectly satisfied with the record which had been made by the F. E. P. C. Particularly did it single out the Chairman of the Committee on Fair Employment Practices for commendation. As arguments are found in the record against the stand which I am taking, I find reasons sustaining my position from what the House Appropriations Committee collectively said after all the testimony was in from all the witnesses for and against the appropriation. Allow me to quote it.

The Appropriations Committee, in reporting the national war agencies bill for 1945 commented on the testimony of Chairman Malcolm Ross, and added:

The record is a clear, fair, dispassionate discussion of a democratic policy of national scope and importance that deserves the earnest perusal and consideration of the House.

That is taken from the report of the House Appropriations Committee when it reported the bill.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. MEAD. Yes; I yield.

Mr. BUSHFIELD. A short while ago I understood the distinguished Senator from New York to say that there was no power within the Committee to do some of the things which it has been alleged the Committee has done, and I wish to



invite his attention to paragraph 4 of the President's order on page 524 of the printed hearings, part II. It states as follows:

The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order. The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.

That is the language of paragraph 4.

I now read paragraph 5:

The Committee shall receive and investigate complaints of discrimination forbidden by this order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

If the Committee does not have the power to take steps necessary to eliminate the conditions which the Committee calls unfair labor practices, how can the distinguished Senator say that under this order there is no power for the Committee to do anything?

Mr. MEAD. Mr. President, I have already said, and I repeat, that the Committee's powers are advisory and consultative. The Committee considers complaints and takes them up with the agencies involved. As a last resort, it takes them up with the President. In all cases but two, some determination was arrived at without referring the matters to the President. After the complaints are considered, taken up with the agencies of Government which are involved, or with the President, then the agencies, or the President, or the labor organizations, or the industry itself, finding that some error has resulted from a policy which was invoked, makes correction and the Committee acts in an advisory and consultative capacity.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. MEAD. Mr. President, I wish further to reply by again quoting from the debates and hearings held in the House. I am perfectly satisfied that my distinguished colleague may have in mind that this agency has power or it has no power. I am merely making the point that from reading the record I believe the agency has persuasive power. It is of a consultative advisory nature. I believe that in this emergency the President had a right to establish this Committee, and I cannot find it in my heart to vote against the F. E. P. C. after I voted for 15 other wartime agencies without a murmur.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. MEAD. And so, Mr. President, as a foe of discrimination because of race, creed, or color, and as one who has offered such amendments here on the floor in the matter of civil-service legislation, I cannot allow this debate to pass without registering my approval of this appropriation, and my commendation for the good work accomplished thus far by the Committee.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. BUSHFIELD. I believe that we are all in accord with the Senator from New York in our opposition to discrimination along the lines which have been suggested. I am bringing up the question of whether the President had or did not have the power which it is claimed he had. I ask the Senator only to define for me, if he can, or will, the words "take appropriate steps to bring compliance with its orders."

Mr. MEAD. The language means to take the matter up as a consultative or mediation group with the parties in interest, with the agencies of Government, and with the President of the United States. That is my answer.

Mr. McCLELLAN, Mr. REVERCOMB, and Mr. WHERRY addressed the Chair.

THE PRESIDING OFFICER. Does the Senator from New York yield; and if so, to whom?

Mr. MEAD. I yield for a brief question. I trust, however, in view of the fact that I hope to complete my statement shortly that Senators will not read extensively from the record. I have already read from the hearings and the debates in the House, and I am perfectly satisfied with the record that has been made. I merely state my views for the information of my colleagues. But they are my views, and I know that there are Members of the Senate who are fundamentally opposed to this agency, and they will vote against it while I shall continue to support it.

I know that there are others who are opposed to the setting up of agencies by Presidential directive, but I hope, in view of the fact that many of my colleagues have voted for other agencies, that I may convince them they ought not to single this one out and make it an exception to the rule. I now yield to my distinguished colleague from West Virginia for a question.

Mr. REVERCOMB. I thank the Senator from New York for the very able statement of his views. In arriving at the fairness of setting up an agency of this kind, this question occurs to me: If the agency makes a decision that there has been a discrimination, and there is a differing on that decision, then could the person who felt that the agency had done wrong go to the court and have it corrected? I do not believe he could, under the agency's powers as they now exist, and if he could not, that is wrong.

Mr. MEAD. In the first place, Mr. President, there are those who believe this agency is illegal. If it is illegal, what would prevent anyone from going into court and having his side of the case heard? If it is legal, its powers are advisory and consultative, and if it takes drastic action in cases within its authority, why cannot that be rectified? It occurs to me that if I believed this agency was illegal, then I should also believe that any citizen of the United States could challenge its legality. That seems to follow logically.

Mr. McCLELLAN and Mr. WHERRY addressed the Chair.

THE PRESIDING OFFICER. Does the Senator from New York yield, and if so, to whom?

Mr. MEAD. I must yield, first, to my distinguished colleague from Arkansas.

Mr. McCLELLAN. In line with the discussion with respect to the powers of the Committee, I should like to ask a question of the able Senator from New York. The President has stated that the order creating the Committee is mandatory rather than directive, overruling the Comptroller General with respect to that point. When the Committee makes a finding that there have been discriminations under the authority vested in it, according to the terms of the order, and then proceeds to make recommendations to other agencies of the Government to enforce the order by the imposition of sanctions, or whatever course it may take, I should like to ask the Senator from New York is that merely directive or is it mandatory?

Mr. MEAD. I will say to my distinguished colleague that awhile ago I spoke on the question of sanctions and enforcement. I concluded by saying that the F. E. P. C. has no enforcement power. Its findings and directives are advisory, and I say again that the President's actions or nonactions stem from his own constitutional power as President, as Commander in Chief, and not from any alleged power under the provisions of his Executive order setting up this Committee.

It should be noted that the F. E. P. C.—and this I take from a fair reading of the record—is primarily concerned with removing discriminatory employment practices in war-related and governmental activities. It does not engage in the placement of labor, nor does it commend anyone to hire Negroes or other minority group of citizens unless a particular person or group of persons have been aggrieved by discriminatory treatment and the parties charged are asked to hire or place on a preferential list the qualified complainant. It imposes no quotas, and has no jurisdiction over allegedly discriminatory practices in education, housing, the armed forces, social relationships, or in public or private places or conveyances.

With minority groups of this country totaling more than 30,000,000 people, the continued existence of this agency, I believe, is to protect the full utilization of the Nation's manpower at this time. That is what it is for; that is as I read the record, and that is why I am defending in the Committee.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MEAD. I am glad to yield.

Mr. RUSSELL. The Senator just stated that it only related to war contracts. That statement is itself directly controverted by the official rules filed by the Committee. I refer the Senator to page 549 of the House hearings, and to the rules drafted by the Committee for its own guidance, which have the practical effect of law.

Mr. MEAD. I think there is a misunderstanding. I did not say it related only to war contracts; I said "discrimi-



natory employment practices in war-related and governmental activity."

Mr. RUSSELL. War-related activity?

Mr. MEAD. War-related activity and governmental activity.

Mr. RUSSELL. What does the Senator mean by the words "governmental activity"?

Mr. MEAD. Any official activity of the Government, the employment problem of any agency of the Government, and the contracts of any agency of government having to do with or related to the war effort.

Mr. RUSSELL. The rule I was going to advert to is as follows:

The obligation to include the nondiscrimination clause exists even though the contract involves nonwar activity.

That is one of the rules and regulations prescribed by the Fair Employment Practice Committee for its administration. I should also like to know how the Senator can explain the action of this committee in citing newspapers before it and whether or not newspapers are held to be a war activity.

Mr. MEAD. I will say that I read of the newspaper controversy, and that was discussed during the able Senator's discussion of the proposal, and I think it was very well handled at that time.

Now, Mr. President, I desire to proceed with my statement.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. MEAD. I yield for a question.

Mr. WHERRY. Relative to the question asked by the Senator from Arkansas [Mr. McCLELLAN] as to the enforcement of sanctions, paragraph 4 of the Executive order reads:

The Committee shall formulate the policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order.

It has been stated several times on the floor of the Senate that sanctions were used and that the Committee withheld priorities on contracts in order that the nondiscrimination clause might be enforced.

I noted with interest the Senator's discussion of that question this afternoon. Does he know of any specific case in which this agency has withheld priorities or has enforced a sanction of some sort, or whether under recommendation to another agency, such agency has somehow enforced a sanction?

Mr. MEAD. No, Mr. President; this agency has no right to withhold priorities. Priorities are within the province of another agency of the Government. This Committee merely takes the matter up with the other agency of the Government. If the agency finds it has any authority to exercise it, then uses its own judgment in the exercise of that power. The Committee does not exercise any priorities' authority whatsoever.

Mr. WHERRY. Mr. President, will the Senator yield further?

Mr. MEAD. I shall be glad to yield.

Mr. WHERRY. What the Senator said as to priorities is true, but I am asking does he know if there has been a

recommendation by this Committee to another agency to exercise such authority?

Mr. MEAD. I did not understand that the Senator used the word "recommendation" of this Committee to any other agency.

Mr. WHERRY. That is what the Committee would do, as I interpret the order. It could recommend. I am asking for information. If the Senator knows of a case I should be glad to have him inform me. Does he know whether or not this Committee has made the recommendation to another agency that has the authority to enforce, for example, the withholding of priorities?

Mr. MEAD. No; I do not. A complete reading of the record does not reveal, to my way of thinking, that they have.

Mr. WHERRY. It has been contended that that is true, and certainly that is one of the things that is vital in acting on these appropriations.

Mr. MEAD. I am sorry that it is so contended, because I am contending that that is not so; so we are at loggerheads again. I maintain that that is an authority which does not rightfully belong to them.

Mr. WHERRY. I am not at loggerheads with the Senator at all. I am merely asking him the questions because it has been contended on the floor that that recommendation has been made. If the Senator, in his investigations, or in the hearings, can point out a place where this agency has made recommendations to an agency which had the authority, and withheld priorities, or enforced some other sanction—

Mr. MEAD. A reading of the RECORD and the debates in the House reveal, so far as I am concerned, that the agency has not exercised such authority.

Mr. President, I must hurry along, and I hope I shall be able to conclude my observations in a few moments.

I believe that the continuation of this committee resulting from our approval of the appropriation will result in improving the skill and the productivity of our people throughout the United States. States with large manpower reserves, but where limited industrial output exists, will find an increasing prosperity developing within their borders if they encourage the program that is set out under this appropriation.

Mr. President, as I stated in the beginning, this is a war manpower measure, it is consistent with the principles upon which our Government is founded, it is in keeping with our selective-service policy, it is what we have already done in 15 other cases. Our advocacy of the rights of minority groups has helped us in our relations with other countries, and it will continue to help us at the council tables when the foundations of the peace are laid after the war.

Several of the States are now setting up permanent agencies to carry forward this work, and it will be very helpful to us, and to the States which carry on this activity, if the appropriation is continued.

As I stated a moment ago, it is inconsistent to make a determined fight on this agency and this agency alone. I

admit that the debates in the Senate and in the House may have brought out some weaknesses, but what new agency of government has not developed some weaknesses? What new agency of government has not profited by the debates in the House and in the Senate, and by the hearings before the House and Senate committees? The debates, in my judgment, will have a salutary effect, and we should continue this agency by supporting this appropriation, and then legislation should follow in its wake. The House Committee on Labor is considering a permanent measure; we will be able to consider it before the end of the next fiscal year, and I believe that as a result of these debates, and as a result of the hearings we have held, we will improve the administration of the agency, and we will be very proud of our work.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. MEAD. I am glad to yield.

Mr. BILBO. I wish to say, first, that the Senator must be an optimist if he thinks that Congress will ever make this committee a permanent agency of Government. What I wish to ask is, will the Senator kindly put into the RECORD the names of the States which have already organized State fair employment practice committees?

Mr. MEAD. Yes; I shall do so. I have a list of them, made up of New York, New Jersey, Illinois, Nebraska, Minnesota, Kansas, and Pennsylvania.

Mr. MURDOCK. Will the Senator yield?

Mr. MEAD. I am glad to yield.

Mr. MURDOCK. Senators say they are in thorough accord with the purpose of the committee, that is, to eliminate discrimination on the basis of race, creed, color, or national origin. If they believe in the principle of the Fair Employment Practice Committee in existence now, whether legally or illegally, under the new order, since May 27, 1943, money out of the Treasury of the United States has been paying the salaries and expenses of the agency, and the money was appropriated by the Congress of the United States. If we believe in the principle of nondiscrimination in contracts made with the Government, the only agency which we have up to date to enforce that nondiscrimination is the one created by the President, and what harm can come by continuing that committee under the present set-up until Congress takes action to create such a committee by legislation?

Mr. MEAD. I believe the only harm will come if we destroy this agency by action now taken by the Senate. I agree with the able Senator from Utah that if we continue the experience of this committee until the legislation can become a reality, we will be making progress along proper lines.

Now, Mr. President, I shall hurry through, and I shall ask permission to insert in the RECORD at this point a statement on the Philadelphia Transportation Co. case.

The PRESIDING OFFICER. Is there objection?



There being no objection, the matter was ordered to be printed in the RECORD, as follows:

PHILADELPHIA TRANSPORTATION CO. CASE

The Philadelphia Transportation Co. case has been cited for the proposition that the F. E. P. C. has set aside or abrogated contracts between management and labor unions.

This company, engaged in the business of transportation in a vital war center, was confronted with a terrible shortage of platform employees. Despite this critical need, the company, aided and abetted by the unaffiliated union which at that time represented the employees (subsequently this union lost its right as collective-bargaining agent for the employees in an election under the Pennsylvania State labor relations act), refused to employ Negroes on the platforms.

After investigation, protracted negotiations which were unavailing, and public hearing after due notice, the Committee issued directives recommending to the company and the union that they cease their discriminatory practices.

Contrary to the impression created, the Committee did not order the abrogation of any contract. There was a provision in the contract between the company and the union incorporating the rules and customs of the company in the contract.

Uncontradicted testimony disclosed, and the Committee found, that this provision had nothing to do with the hiring of Negroes, but merely referred to the usual company rules concerning punching time clocks, length of runs, etc.

All the Committee did was to recommend to the parties, in the light of the uncontradicted testimony, that they do not construe this clause which referred to extraneous matters entirely so as to restrict the employment of Negroes.

Subsequent history—the company and the new union, a C. I. O. affiliate, which was designated by the Pennsylvania State Labor Relations Board as the collective-bargaining agent for the employees, have entered into collective bargaining with a view to signing a new contract. The Committee has been informed that the negotiations are proceeding without friction and the chances are bright for the hiring of Negroes as platform men.

The new union is the bargaining representative in New York City in the New York City Transit System, which employs some 900 Negroes in platform jobs. These men are competent and outstanding employees. No complaint has been received since they have been working, a condition which has prevailed for the past several years.

Mr. MEAD. Mr. President, I also wish to file a statement on the personnel employed by the F. E. P. C.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PERSONNEL

It is said that the personnel is overwhelmingly Negro—it has not hesitated to discriminate against the white race in its own employment policies. I mention that fact merely to show the political nature of this agency.

Eighty percent of the complaints received by the Committee affect discrimination in employment against Negroes. Skilled handling of problems involving Negroes precludes any argument that it is illogical or improper to hire many Negroes on its staff. The assignment of specific quotas for representation of the various minority groups on its staff would have impaired, if not defeated, its responsibility under the Executive order to eliminate discrimination in employment in government.

George M. Johnson, a Negro, is the Deputy Chairman of the F. E. P. C. After Mr. Johnson testified in the lower House committee hearings, one of the committee members described him as "one of the ablest men ever to appear" before that body. Mr. Johnson holds the degrees of A. B., LL. B., and J. S. O. from the University of California. He was engaged in the practice of law and served as tax counsel for the California State Board of Equalization for 7 years. In 1940 he was appointed professor of law at Howard University. He joined the Committee's staff in the fall of 1941 as assistant executive secretary and is on leave from his teaching post. He was general chairman of the Student Institute of Pacific Relations, a member of the Berkeley Committee on Race Relations, lecturer for the Mills College Institute of International Relations, June 1941. He has been a member of the race relations department of the Federal Council of Churches of Christ in America. He was chairman of the joint council for the Southern Pacific Railroad (Pacific Lines) and the dining-car cooks' and waiters' union, and is a member of the national legal committee of the National Association for the Advancement of Colored People.

Mr. Theodore A. Jones, the administrative officer of the F. E. P. C., is a native of Colorado with a bachelor of science degree in accounting from the University of Illinois. His thesis for the degree of master of business administration from Northwestern University is now pending. He was commended by the Bureau of the Budget and the House Committee on Appropriations for his excellent preparation and presentation of the F. E. P. C. and his fine work in fiscal management and budgetary planning and control.

The qualifications of these men are representative of the attainments in scholarship and expertness in the field of race relations of the other Negroes on the staff of F. E. P. C. It is apparent that Negro field examiners inspire confidence among Negro workers and are able to control their actions. Specifically, these examiners have been successful in satisfactorily adjusting 25 work stoppages in war plants affecting 181,791 workers and costing 185,581 man-days lost to the war.

Quick action by F. E. P. C., which was called into the situation by management or union or Army or Navy Government officials after the situation had gotten out of hand, prevented the loss of thousands of additional man-days and averted major strikes in such plants as Carnegie-Illinois Steel, Jones & Laughlin Steel, Dravo Corporation, Youngstown Sheet & Tube, Illinois Ordnance, Bethlehem Steel Building, Republic Oil Refining, and others.

Government and management officials have acknowledged the services of F. E. P. C. in smoothing industrial relations where racial aspects are involved.

Mr. W. A. Hughes, Director of Industrial Personnel, Army Service Forces, War Department, testified before the House Labor Committee a few days ago. He stated:

"The Executive orders as they stand now seem to be functioning successfully in war plants and have in all probability been a factor in increasing labor supplies which have been helpful."

Mr. MEAD. Mr. President, in this connection I wish to say that Mr. George M. Johnson, who is the Deputy Chairman, and a Negro, testified before the House committee, and one of the committee members describes him as one of the ablest men ever to appear before that body.

Mr. President, I have the names of a number of others of the personnel in the statement I have submitted.

Mr. BILBO. Will the Senator yield at that point?

Mr. MEAD. I am glad to yield, but this will all be in the record.

Mr. BILBO. Since the Senator is submitting a list of the personnel of the present set-up of this organization, I should like to hear him make some observations on the very patent and gross discriminations the Committee itself has made against the white race, by employing two-thirds Negroes and only one-third whites.

Mr. MEAD. Mr. President, that statement has been placed in the RECORD on a previous occasion by those who have participated in the House debates. Perhaps a very large percentage of the complaints brought to the attention of the Committee are complaints of discrimination against the colored race, and of necessity, in the investigation of the complaints, the board has seen fit to employ a fairly substantial percentage of colored men and women, who are in perhaps a better position to obtain all the facts and assemble all the data upon which the board acts. But, as I stated, that is already in the RECORD. I have read it thoroughly, and I cannot see that there is any discrimination, when one considers the character of the work. If we take the complaints, the percentage of complaints, we will find that there has not been discrimination, and if there has been, we have on the statute books, in the civil-service laws of the country, prohibitions against discrimination.

Mr. RUSSELL. Will the Senator yield?

Mr. MEAD. I am glad to yield.

Mr. RUSSELL. I merely wish to point out the inconsistency of the agency in that regard. They stated that a majority of the cases did involve colored people, and for that reason they assigned Negroes to investigate and prosecute them, but it developed in the course of the testimony that the second largest number of cases involved religious discrimination against Jews. I asked Mr. Ross if he appointed Jewish examiners to go into all the Jewish claims, and he said that he did not. It seems to me that this agency is unfair in that matter, because they insisted upon having Negro examiners to go into the Negro cases, but did not assign Jewish examiners to go into cases that involve discriminations against Jews.

Mr. MEAD. I do not know about that.

Mr. President, I now wish to place in the RECORD another statement in answer to the statement made that this agency is dominated by the C. I. O. The C. I. O. has no desire to dominate the Committee. This agency has been commended by Mr. William Green, the president of the American Federation of Labor, in the following words:

Legislative representative of American Federation of Labor will appear before Appropriations Committee of the United States Senate urging favorable action upon appropriation for Fair Employment Practice Committee. Will do all we can to secure favorable action by Congress of United States.

Mr. President, several charges have been made against the F. E. P. C.; one that it is concerned with all problems involving Negroes; another that it aggravates the race problem; still another one that with many Negroes on its staff it is exclusively concerned with the Negro



problem. I ask that a statement concerning those charges may be made a part of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

**THE FALSE CHARGES AGAINST F. E. P. C.**

Certain misconceptions concerning the F. E. P. C. have been prevalent. Chief among these are the charges that—

**F. E. P. C. IS CONCERNED WITH ALL PROBLEMS INVOLVING NEGROES**

F. E. P. C. is concerned solely with removing discriminatory employment practices in war-related and governmental activity. Contrary to popular belief, the Committee does not have jurisdiction in a case merely because the party charged is engaged in interstate activity. Similarly, it has no jurisdiction over allegedly discriminatory practices in education, housing, the armed forces, and social relationships, nor in public or private places or conveyances, nor is it concerned with political controversies such as voting rights.

**F. E. P. C. PROMOTES THE EMPLOYMENT OF NEGROES, ATTEMPTS TO ENFORCE QUOTAS, AND FORCES THE EMPLOYMENT OF CERTAIN PERSONS**

F. E. P. C. has no power to channel, direct, or place labor, which is the legitimate function of the War Manpower Commission. F. E. P. C. action is limited to the removal of discriminatory employment practices. It acts only on signed complaints. It does not request anyone to hire Negroes or any other minority group of citizens. It imposes no quotas. It is only in cases where a particular person or group of persons have been aggrieved by discriminatory treatment that the parties charged are asked to hire or place on a preferential list the qualified complainant. Cases are dismissed on merits where it appears that the employer was justified in refusing to hire or upgrade an applicant not properly qualified.

**F. E. P. C. IS AGGRAVATING THE RACE PROBLEM**

The large number of satisfactory adjustments achieved by the Committee contradict this charge. F. E. P. C. inherited a problem it did not invent, and without its services in this field some other mechanism would have had to be established to meet the discontent arising when a man's twin impulses of earning a living and serving his country are frustrated.

**WITH MANY NEGROES ON ITS STAFF, F. E. P. C. IS EXCLUSIVELY CONCERNED WITH THE NEGRO PROBLEM**

As the minority subject to most widespread discrimination, it is natural that the Negro minority should produce the largest proportionate number of skilled experts in this difficult field. While four-fifths of the cases before F. E. P. C. involve discrimination against Negroes, the sizable remainder are concerned with discriminatory practice against Jews, Mexican-Americans, and other minority groups. Negroes represent a tenth of the Nation's manpower. Minority groups in this country total more than 30,000,000 people. F. E. P. C. protects the full utilization of the Nation's manpower in war activities.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. MAYBANK. The Senator has placed in the RECORD the recommendations of several labor organizations of the Fair Employment Practice Committee. Does the Senator have any endorsements of the Committee from the various railway brotherhoods?

Mr. MEAD. I have here a recommendation from John P. Frey, of the metal trades department of the American Federation of Labor. I have another from Mr. George Googe, long top A. F. of L. organizer south of the Potomac. He says:

Race discrimination in our unions in the South has decreased 50 percent in the last 12 years. Give us 12 years more and there won't be any.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. MEAD. I yield.

Mr. MAYBANK. Does the writer say that the F. E. P. C. brought that about?

Mr. MEAD. No; he does not. Mr. Frey says that he went to Chattanooga, Tenn., a great many years ago and straightened out a situation there. As the result the colored metal workers are now members of the organization he represents.

Mr. MAYBANK. The question I previously asked the Senator from New York was whether any of the railway brotherhoods had endorsed the F. E. P. C.?

Mr. MEAD. I thought I had one such endorsement, but I do not have it before me now.

Mr. MAYBANK. Was it a railroad brotherhood?

Mr. MEAD. I would not make that statement; I do not know. It occurs to me that one of the railroad organizations commended the record of the Committee. I do not wish to make that as a statement of fact in the RECORD until I have it before me.

Mr. BARKLEY. Mr. President, will the Senator yield to me for a moment?

Mr. MEAD. Yes; I yield.

Mr. BARKLEY. I dislike to interrupt the Senator from New York, but I am compelled to leave the Chamber. I wonder if there is any chance of agreeing to an hour at which a vote may be taken on the pending question?

Mr. MEAD. Mr. President, I am practically through with my statement.

Mr. BARKLEY. I wonder if we could agree on some hour tomorrow when a vote could be taken.

Mr. MEAD. Mr. President, I am ready to yield the floor. I merely make a final appeal for approval of this appropriation.

Mr. RUSSELL. If the Senator from New York will be good enough to yield to me—

Mr. MEAD. I am very glad to yield.

Mr. RUSSELL. The Senator from New York has placed in the RECORD the position taken by the American Federation of Labor and other organizations. I wonder if the Senator placed in the RECORD a report by the executive council of the American Federation of Labor?

Mr. MEAD. I have some matter relating to the American Federation of Labor before me.

Mr. RUSSELL. I wish to point out that the American Federation of Labor, while it very strongly endorses the policies of this Committee as it relates to the employer, is very bitterly opposed to its policies with respect to labor unions.

Mr. MEAD. On that point I wish to say that I have a recommendation by

the executive council of the American Federation of Labor at its sixty-third convention held in October of 1943, and I ask that it be placed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

In October 1943 the executive council of the American Federation of Labor at its sixty-third convention stated:

"The direct and wholehearted participation of the representatives of the American Federation of Labor in the work of the Fair Employment Practice Committee has been based on the recognition of the fact that race discrimination in war employment is inconsistent with the Nation's foremost objectives in war for the survival of democracy. Such discrimination is not only contrary to our basic institutions, but is also a threat to national unity during and after the war."

Mr. RUSSELL. Mr. President, simply to make the RECORD complete I wanted to show that the American Federation of Labor did not endorse all that this Committee has attempted to do, because the A. F. of L. was very much opposed to the policy of the Committee with respect to labor organizations.

Mr. MEAD. Mr. President, I now yield the floor.

**EXHIBIT 1**

**THE PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE—ITS BEGINNING AND GROWTH**

Early in the defense program it became evident that full mobilization of American manpower was going to be a major problem. An important aspect of the over-all manpower picture concerned the integration of minority groups into the war effort, and in July 1940 there began a series of measures to prevent discrimination in essential industry.

The National Defense Advisory Commission established an office in its Labor Division to facilitate the utilization and training of Negro workers and later reached an agreement with the American Federation of Labor and the Congress of Industrial Organizations by which they accepted responsibility for removing barriers against such workers. This was followed by announcement by the United States Office of Education of a non-discrimination policy in the expenditure of Federal funds for vocational training for defense. In October 1940 Congress, in appropriating money for defense training, forbade discrimination against trainees because of sex, race, or color.

Special letters and instructions were issued by various Government officials during the next 6 months. For example, in January 1941 the Administrator of the Federal Works Agency established a regulation prohibiting discrimination in employment in the construction of defense-housing projects. In a memorandum on June 12, 1941, to William S. Knudsen and Sidney Hillman, co-directors of the Office of Production Management, President Roosevelt emphasized the need for unity. "No nation combating the increasing threat of totalitarianism can afford arbitrarily to exclude huge segments of its population from its defense industries," he said. "Even more important is it for us to strengthen our unity and morale by refuting at home the very theories which we are fighting abroad."

On June 25, 1941, in response to growing protest that the steps taken had not proved adequate, the President issued Executive Order 8802 and appointed the Committee on Fair Employment Practice to enforce it. The



order stated that it was the duty of employers and of labor organizations "to provide for the full and equitable participation of all workers in defense industries, without discrimination because of race, creed, color, or national origin." According to 8802, the Committee was to "receive and investigate complaints of discrimination in violation of the provisions of this order and \* \* \* take appropriate steps to redress grievances which it finds to be valid." It was also empowered to make recommendations to Government agencies and to the President.

The first Chairman, Mark Ethridge, publisher of the Louisville Courier-Journal, and five other members, serving without compensation, were appointed by President Roosevelt on July 18, 1941. Lawrence Cramer, former Governor of the Virgin Islands, was called from teaching at Harvard University to become executive secretary. Originally the Committee functioned within the Labor Division of the Office of Production Management. On January 26, 1942, when O. P. M. was abolished, the Committee was transferred to the War Production Board. Dr. Malcolm McLean, president of Hampton Institute, became Chairman in March 1942, and in July of the same year the Committee was transferred as an "organizational entity" to the War Manpower Commission.

By the beginning of 1943 it was apparent that a reorganization was necessary to enable the Committee on Fair Employment Practice effectively to carry on its duties. The staff, at maximum, had consisted of 13 officers and 21 clerical and stenographic employees, a number far too small to investigate thoroughly the numerous complaints being received by the Committee. Under Executive Order 9346, issued on May 27, 1943, a new Committee, with a full-time Chairman, was set up as an organizationally independent agency.

The new order enlarged upon 8802, while repeating its basic principles. It stated clearly that it was the duty of all employers, including Federal agencies and labor organizations, "to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin." Contracting agencies of the Government were required specifically to include a nondiscrimination provision in all subcontracts, as well as in all contracts as required by 8802. The Committee's powers to conduct hearings and make findings of fact, to promulgate rules and regulations, and to take appropriate steps to obtain elimination of such discrimination were mentioned in detail. Msgr. Francis J. Haas, dean of the school of social sciences at Catholic University and well-known labor mediator, was appointed Chairman of the new Committee and served until nominated bishop of Grand Rapids on October 7, 1943. Malcolm Ross, author and former Director of Information of the National Labor Relations Board, who had been deputy chairman, was named his successor by President Roosevelt on October 18, 1943.

At the present time, the President's Committee on Fair Employment Practice has, exclusive of the Chairman, 6 members who represent labor and management equally. The paid staff numbers 113 workers, 60 of whom are in the field. The national office in Washington, D. C., has 4 divisions: Field Operations, Administrative, Legal, and Review and Analysis. In addition, there are 9 regional offices, each with a director in charge, and 2 additional suboffices, 1 in Detroit in region V and 1 in Los Angeles in region XII.

#### DUTIES AND JURISDICTION

Responsibility for fair-employment practice rests, actually, with the individual employer, union, or Government agency. In interpret-

ing and enforcing Executive Order 9346 the Committee, which is an administrative agency, first must determine how, when, and by whom discrimination is practiced; and second, must take appropriate steps to eliminate such discrimination.

#### Definition of complaints and complainants

F. E. P. C. has jurisdiction over complaints of discrimination because of race, creed, color, national origin, or alienage. The category of noncitizens was not included in Executive Order 8802. A statement by the President in January 1942, however, brought aliens within the scope of the Committee's responsibilities.

Whether because of race, creed, color, national origin, or alienage, discrimination may take many different forms. It may be direct by the employer against an employee, as in the case of refusal to hire. A member of a minority group may be employed and later subjected to inferior working conditions. Failure to utilize the minority workers at their highest skill level, early and unwarranted dismissal, and unequal pay for equal work are additional types of direct discrimination.

Less direct discrimination in employment may be practiced by unions, training institutions, and employment agencies. Most of the complaints against unions charge refusal to accept for membership, to issue work permits, or to handle grievances, including disputes over seniority and upgrading. There also may be segregation into local auxiliaries in which the Negro worker is denied the right to vote, to bargain collectively, or to participate equally in business negotiations. Complete denial of training and, in addition, unequal facilities where segregated schools exist are the chief charges against training institutions. Discriminatory want ads and job specifications sent to employment agencies frequently prevent non-white, Jewish, and alien complainants from obtaining war jobs.

#### Basis of the Committee's authority

The functions performed by the Committee are carried out for and in the name of the President. The authority delegated to the Committee stems from two Presidential prerogatives: first, the constitutional power of the President, as administrative head of the executive branch of the Government, to direct the operation and administration of all Federal agencies; and second, his power as Commander in Chief to take all administrative action necessary to assure adequate supplies for the armed forces of the United States. Pursuant to his authority under the former, the President has empowered the Committee to investigate discrimination on the part of Government agencies, Government-sponsored training programs, and private industries involved in the performance of Government contracts. The President's power as Commander in Chief underlies his delegation of authority to the Committee to investigate discrimination in all essential war industries.

#### Agencies within the jurisdiction of the Committee

Thus, the jurisdiction of the Committee under Executive Order 9346 extends to three categories of complaints alleging discriminatory employment practices:

1. Complaints against all agencies of the Federal Government.

2. Complaints against all employers (and the unions of their employees) having contractual relations with the Federal Government, regardless of whether such contracts pertain to the war effort, and

3. Complaints against all employers (and the unions of their employees) engaged in industries essential to the war effort, whether or not they have contractual relations with the Government.

The Committee's jurisdiction over complaints against Federal agencies has never been challenged. But questions have been

raised regarding the kinds of Government contracts contemplated by the order and as to whether or not the inclusion of the order's "nondiscrimination clause" in such contracts is mandatory. The latter question has been answered in the affirmative by the President. In defining the kinds of Government contracts contemplated by the order, the Committee has ruled that the "nondiscrimination clause" must be included in all contracts made, amended, or modified which call for the employment of persons. Such inclusion does not depend upon the amount of money involved, and is required even though the contract does not involve war activity.

The Committee's jurisdiction over "war industries," which no contract is involved, has been challenged in several cases. The Committee has issued no comprehensive definition of what it regards as war industries. It accepts as a general guide the War Manpower Commission's List of Essential War Industries, but it reserves to itself the right to determine in each case whether the party charged is an "essential war industry" within the meaning of the order. The Committee has ruled that steamship lines, railroads, telephone and telegraph companies, and local street-railway systems in vital industrial areas are essential war industries within the meaning of the order.

The Committee also has ruled that its jurisdiction extends to all private educational institutions which receive Federal funds for the support and maintenance of their war training programs.

#### Agencies not within the jurisdiction of the Committee

Contrary to popular belief, the Committee does not have jurisdiction in a case merely because the party charged is engaged in interstate activities. F. E. P. C. has no power to deal with privately owned, privately operated plants, which do not hold Government contracts or subcontracts, and which are not engaged in activities essential to the war effort, even though they may be engaged in interstate or foreign commerce. Also excluded from the Committee's jurisdiction are retail stores and local enterprises such as beauty parlors, law offices, specialty shops, etc., which do not hold Government contracts and which are not engaged in services essential to the war effort.

The Committee has no jurisdiction over the armed forces.

#### PROCEDURE

A case requiring investigation by the President's Committee on Fair Employment Practice is (a) a signed complaint (b) against a named employer, union, or Government agency (c) alleging discrimination (d) relating to employment, placement, or training (e) because of race, color, creed, national origin, or alienage. Information pertaining to discriminatory advertisements, placement orders, or application forms may be acted upon by a staff member upon his own cognizance. In addition, evidence of violation of Executive Order 9346, referred to the Committee by another Government agency, may constitute a case.

#### Method of investigation—Customary steps

All cases are docketed in the regional office of the area in which the alleged discrimination has occurred. If a complaint comes under the jurisdiction of the Committee, investigation of its validity is begun. Further information from the complainant may be obtained and collateral investigations undertaken, after which contact is made with the party charged by a Fair Practice examiner. If an employer or union official, thus reminded of his responsibilities under Executive Order 9346, acts to eliminate discriminatory practices in accordance with the recommendations of the examiner and the regional director, the case is closed. Most of the 359 cases satisfactorily adjusted in the



6 months' period from July 1 to December 31, 1943, represent this kind of disposition.

Should a case prove unadjustable at the regional level, the Regional Office can refer it to the Director of Field Operations in Washington. At both the regional and national levels, there is frequent negotiation with the War Manpower Commission or with the contracting agencies of the Government. In some troublesome situations a senior Fair Practice examiner is sent from the Washington office to effect a satisfactory disposition of the case. Referral to the full Committee and the scheduling of a public hearing result only after all other methods of settlement have been employed unsuccessfully.

#### Hearings

The decision to hold a hearing is not automatic. It is made only after the members of the committee have agreed upon such action. The purpose of the public hearings is to determine the existence of discrimination, the duties of employers, and the rights of employees under Executive Order 9346.

Hearings conducted by the President's Committee on Fair Employment Practice are informal, fact-finding proceedings. They are not limited by the legal rules of evidence and procedure. The full Committee sitting as an impartial body, may hear the case or may authorize its chairman to appoint a hearing commissioner for the purpose of conducting the hearing. In other instances, a panel of Committee members may be designated. A number of concerns from the same industry or local area may be investigated at one time.

In the majority of the 11 public hearings held by the Committee since its inception, more than 1 company or 1 union has been involved.

Ample notice of the hearing and of the specific charges is given to the party charged. Parties may appear in person or be represented by counsel and may examine and cross-examine the witnesses. The Committee may request the party charged to present material, but it has no power to subpoena witnesses or records.

The full Committee reviews the stenographic record of the proceeding before rendering its final decision and entering its findings. At this time it takes corrective measures, which include recommendations and directives to the parties charged and recommendations to Federal agencies and to the President of the United States to eliminate whatever discriminatory practices have been revealed.

#### The elimination of discrimination

In most instances, F. E. P. C. staff members are able to bring about the adjustment of specific complaints without formal reference to the Committee. Satisfactory disposition is achieved when the party charged complies with the requests of these executives that it take certain positive steps to correct present discriminatory practices or to guard against their future occurrence. Beyond the settlement of the immediate grievance, such implementation usually consists of written notices and instructions to personnel officers, placement agencies, training institutions, and labor unions that the party charged will employ persons solely on the basis of their qualifications and without regard to their race, creed, color, or national origin.

The Committee's directives usually advise the parties charged to issue formal instructions to their own personnel officers and employment agencies that the recruitment, training, and placement of workers will be carried on without discrimination.

In addition, the Committee has at times directed companies to hire persons who have been discriminated against or to reinstate workers who have been dismissed for discriminatory reasons. One such instance oc-

curred in December 1942, following a hearing which involved charges brought by seven members of Jehovah's Witnesses. The Committee directed that "the company take immediate steps to offer reinstatement to the seven complainants and to offer them reemployment with full seniority rights they would have enjoyed had they been continuously employed."

The Committee consistently has expressed its conclusions regarding methods of carrying out the purposes of the Executive orders by means of the well-known administrative procedure of issuing directives. Power to issue directives is implied in Executive Orders Nos. 8802 and 9346. Under Executive Order No. 8802 the Committee "shall take appropriate steps to redress grievances." The corresponding clause in Executive Order No. 9346 authorizes it to "take appropriate steps to obtain elimination of \* \* \* discrimination." The Committee's authority to issue directives springs from these phrases.

Should the Committee's directives be defied, such violation can be referred to the proper contracting agency, including the War Department, the Navy Department, or the Maritime Commission. The contracting agencies may cancel or refuse to renew war contracts. Ultimately noncompliance is certified to the President of the United States.

The Committee can also bring such cases to the attention of the Chairman of the War Manpower Commission. A formal agreement, executed by the two agencies in August 1943, defines the respective responsibilities of F. E. P. C. and W. M. C. in enforcing the Government's nondiscrimination policies concerning the training, placement, and utilization of manpower. In addition, the War Manpower Commission, in carrying out its employment-stabilization program, may penalize violators of the program's clause prohibiting discriminatory hiring and referral practices. Sanctions may be invoked at both the regional and national level. Most of them are available at any stage of negotiations when the intent of the party charged not to comply becomes clear.

The War Manpower Commission, through the United States Employment Service, may refuse to service noncomplying employers, or may issue certificates of availability to workers against whom discriminatory policies have been practiced. It may refuse the employer clearance for the recruitment of workers outside of his labor market if he imposes discriminatory hiring specifications. It may issue certificates of availability to the workers of a noncomplying employer. Also, in accordance with W. M. C. policy, employees who quit in protest over the employment of minority workers may be denied certificates of availability to other employment.

Finally, the President may act under his dual authority as administrative head of the executive branch of the Government or as Commander in Chief of the armed forces to enforce committee directives.

#### SCOPE OF ACTIVITIES

##### Complaints received and investigated

As of July 1, 1943, F. E. P. C. had pending 1,016 cases. During the 6 months' period between that date and January 1, 1944, 1,950 new cases were docketed. During the same period 989 cases were closed, leaving the committee's January 1 case load at 1,957. More than one-third of the cases closed represented satisfactory adjustments. Dismissal because of lack of jurisdiction over the complaint or because of insufficient evidence accounted for 244 of the closings. In addition, 256 cases were closed on merits, 123 were withdrawn by the complainant, and 7 were dismissed for other reasons. The 630 cases in these last 4 categories represent allegations of discrimination which would have remained as continuing disputes had they not been subjected to a careful examination by a third party.

F. E. P. C. public hearings number only 11. Of these, 6 were held under the auspices of the old Committee, before the issuance of Executive Order No. 9346. A number of companies and unions were involved, and compliance has been largely good. Certain companies have been especially cooperative. At this writing, the new Committee has conducted 5 public hearings: Two were based upon charges of discrimination because of creed and involved the Dow Chemical Co. in Midland, Mich., and the Northwest Mining and Exchange Co. in Du Bois, Pa. The railroad hearings in Washington, D. C., the boilermaker's hearings in Portland, Oreg., and San Francisco, Calif., and the case of the Philadelphia Transportation Co. in Philadelphia involved charges of racial discrimination.

*Distribution of complaints by race, creed, color, national origin, alienage*

#### Race and Color

For the most part in the United States, Negro labor has been disproportionately concentrated in unskilled, domestic, and agricultural occupations. According to the 1940 census, Negro men comprised 60.2 percent of all males in domestic service and Negro women constituted 46.6 percent of all women employed in this field. Colored men formed 21 percent of the males employed as laborers; colored women composed 26.9 percent of such laborers. (Farms and mines not included.) Negro men were 21 percent of all farm laborers and foremen. It can be seen how disproportionately the Negro is concentrated in the lower work brackets, when it is considered that Negro males constitute 10.3 percent of the total male working population, and that women form 18.9 percent of the total female working population.<sup>1</sup>

During World War No. 1, and for a decade thereafter, Negroes made significant occupational gains in such industries as iron, steel, meatpacking, shipbuilding, and automobile manufacturing. The depression seriously hampered these gains and in 1940, Negroes constituted a smaller proportion of the workers in mining, manufacturing, transportation and communication, than they had in 1910.<sup>2</sup> A survey by the Bureau of Employment Security of the Social Security Board issued in September 1941, revealed that Negroes would not be considered by industry for 51 percent of 282,245 job openings expected to occur by February 1942.<sup>3</sup>

The Tolan committee, in 1941, found that nine A. F. of L. unions still had constitutional provisions barring Negroes from membership, along with the railway brotherhoods. In addition, numerous unions continued to discriminate against Negro workers, excluding them by tacit consent and constitutional ritual, and, by segregating them into auxiliaries.

Since 1941 the Negro has made considerable advances in the field of industrial employment. In January, according to the War Manpower Commission, nonwhite workers now constitute 7.2 percent of the total 15,000,000 war workers in firms reporting to the United States Employment Service. This shows a good trend. In the beginning of 1942 it was estimated that nonwhite workers constituted only 3 percent of the employees in war industries. By September 1942 the figure was 5.7

<sup>1</sup> U. S. Census, Population, The Labor Force, Volume III, Washington, D. C.; U. S. Government Printing Office; pp. 88 and 89

<sup>2</sup> Weaver, R. C., "The Employment of Negroes in War Industries," Journal of Negro Education, Washington, D. C., Howard University Press, Summer 1943; pp. 386-387.

<sup>3</sup> Bureau of Employment Security, Social Security Board, Labor Supply and Demand in Selected Defense Occupations Through the Period May-November 1941, Washington, D. C., Federal Security Agency; September 1941.



percent, in January 1943 6.4 percent, and in March 1943 6.7 percent.<sup>4</sup> Negroes have secured significant employment opportunities in shipbuilding, aircraft, blast furnaces, steel works, rolling mills, tanks, communication equipment, explosives, and ammunition.

No reliable data is available on the utilization of nonwhite workers in skilled and semiskilled occupations. Most observers agree that Negroes are being both placed and upgraded to skilled and semiskilled operations in many plants at a startling rate. The W. M. C. has revealed that for the last quarter of 1943 14.8 percent of nonwhite placements were in other than unskilled occupations. The number of Negroes in operations other than unskilled in industry is perhaps much higher than this figure would indicate, since the usual tendency is to upgrade Negroes from unskilled jobs rather than to take newcomers from the outside at the high levels of employment.<sup>5</sup>

Negroes have also made considerable gains in the Federal civil service. The 1938 report by L. J. W. Hayes showed that Negroes composed 8.4 percent of Federal employees in Washington, and that 90 percent were in custodial jobs.<sup>6</sup> In contrast, a study by the Division of Review and Analysis of F. E. P. C., involving a sample which covered 1,957,858 Government employees, showed that 12.5 percent of these workers were colored. According to this study, in the departmental service Negroes composed 18 percent of the total personnel. A large number, 50 percent or more in some agencies, were employed in the clerical, administrative, fiscal category, although in the field service most Negroes were still in custodial classifications.

In general, however, the better utilization of the Negro is spotty and is concentrated in certain industries, in certain areas, and even in some cases, is limited to specific corporations. There are many industries where the full utilization of nonwhite workers is of critical importance to the war production effort. Among these are the local transit industry, the air-frame industry, the cotton-textile industry in the South, the jute-spinning industry, the rayon fiber and rayon textile industry, the antifriction-bearing industry, and the shipbuilding industry where they are already highly utilized.

The practices of organized labor have not kept pace with the increased employment of the Negro. Today 13 unions exclude Negroes by constitutional provisions, 5 exclude by tacit consent, 1 by ritual, and 9 afford only segregated auxiliary status to Negroes.<sup>7</sup>

#### *Creed*

Charges of discrimination because of creed comprised nearly 10 percent of the complaints received by the Committee during the July-December 1943 period. Most of them came from Jews. Members of this group frequently have been barred from employment through discriminatory want ads or specifications to employment agencies. Application forms on which religion must be designated further such discrimination. Training schools, realizing that Jewish graduates may be hard to place, in many cases have refused to admit them.

Orthodox Jews, Seventh-day Adventists, and others who regard Saturday as their Sabbath constitute a problem because of the working schedules to which most industries

geared to the demands of war production now adhere. Absenteeism related to such practice often has led to dismissal, although many plants and agencies have managed to work out satisfactory arrangements for Sabbatarians.

#### *National origin and alienage*

Discrimination because of national origin alone accounted for 5 percent of the complaints docketed by the Committee between July 1 and December 31, 1943. Some foreign-born citizens have been denied employment simply because an employer doubts their loyalty. On the other hand, certain groups, largely Spanish-American in origin, have to contend with discrimination of the same type which faces American Negroes. This is especially true in sections of the far West and Southwest.

The problem of placing noncitizens in war jobs is a troublesome one. During the 6 months' period mentioned above discriminatory acts against aliens constituted almost 7 percent of F. E. P. C.'s docketed cases. Most discrimination of this kind arises from over-cautiousness in employers engaged in war production. Sections in two acts of Congress, passed in 1926 and 1940, forbade the employment of aliens in the performance of aeronautical, secret, restricted, or confidential contracts without the written consent of the Secretary of the Department concerned. Although the latter act has expired and the 1926 act covers only aeronautical contracts, the War and Navy Departments and the Maritime Commission continue to require written consent for the employment of aliens on such classified contracts.

Any employer not engaged in work of this kind violates Order 9346 when he refuses to employ qualified and available aliens. It is also a violation for a contractor engaged in the execution of a secret, restricted, confidential, or aeronautical contract to neglect or refuse to apply to the Secretary of War or Navy for permission to employ needed and qualified aliens.

The number of complaints received by the former committee from aliens proved the existence of confusion among employers and applicants alike. In March 1943 discrimination against aliens still comprised F. E. P. C.'s second largest group of complaints. A series of steps has served to alleviate the situation. On July 11, 1942, President Roosevelt issued a clarifying statement, setting forth the official position on the employment of noncitizens and outlining procedures to be followed in hiring them. This was reaffirmed on June 7, 1943, in a joint statement by the Secretary of War, the Secretary of the Navy, the Attorney General, and the Chairman of the Maritime Commission.

According to section 205 of the Independent Office Appropriations Act, approved June 26, 1943, aliens who are nationals of any of the United Nations may now be employed by the Government agencies whose appropriations are provided by this act.

In recent months the paper work and the time needed for clearance of applications have served as the chief obstacles to the employment of aliens. The President's Committee has made recommendations toward the simplification and shortening of application forms. At this time the Provost Marshal General has brought about decentralization of the investigation and clearance of alien applications. This process should reduce considerably the time required for clearance.

As a war agency, the President's Committee on Fair Employment Practice is concerned with bringing about the fullest utilization of all available manpower for the fight against the Axis. Its functions are the direct expression of Government policy and are aimed at eliminating discriminatory practices, which, in the present emergency, tend

seriously to impair workers' morale and national unity. The current need for labor does not allow for the continuance of habits which bar qualified workers from employment and prolong the day of victory.

Mr. BARKLEY. Mr. President, I wish to inquire whether we may not reach some agreement on voting at some hour tomorrow. Any hour suits me.

Mr. BILBO. I have no objection to that, provided I am given an hour.

Mr. BARKLEY. The Senator would have my consent to having an hour. I should like to have the time for voting fixed at 4 or 5 o'clock.

Mr. BILBO. Tomorrow?

Mr. BARKLEY. Yes; tomorrow.

Mr. RUSSELL. The thing which disturbs me is, How shall we confine the debate to the subject under consideration? Some Senators may obtain the floor and make lengthy speeches on some unrelated matter and thereby deprive other Senators who wish to discuss the pending question of an opportunity to do so.

Mr. BARKLEY. That is the chance we always take unless by unanimous consent we can limit the debate on the amendment and have the time divided between Senators on both sides of the question.

Mr. McKELLAR. Mr. President, there are two or three Senators who wish to speak on the question, and if we continue debate on the subject, I believe we can get to a vote before 4 or 5 o'clock tomorrow.

Mr. BARKLEY. I hope so. The trouble is that every fresh day brings forth some fresh subject. I do not wish to shut any Senator off.

Mr. RUSSELL. I wish to make the record clear that those who are opposed to striking this item from the bill have occupied practically all the time today.

Mr. BARKLEY. That is true with respect to today, but that was not true the previous day.

Mr. RUSSELL. On the previous day the amendment did not come before the Senate until about 2:30 in the afternoon, and the question was debated for about 2 hours.

Mr. BARKLEY. I think the time up to now has been pretty fairly equally divided.

Mr. McKELLAR. Mr. President, I think the time has been well spent, too. I do not think there is necessity at this time to fix a time for voting. So far as I am concerned, I should object to fixing the time until Senators on both sides of the question have had a reasonable opportunity to discuss it, and then I shall urge very strongly that a time be fixed for taking the vote.

Mr. BARKLEY. I am not pressing the matter. I thought perhaps it was worth while trying to fix the time for a vote.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHITE. In view of what the Senator from Tennessee has said about the situation, I suppose it is useless to attempt to reach any agreement at this time, but I cannot help impressing on those Members of the Senate I am now

<sup>4</sup> Weaver, R. C., op. cit., p. 391.

<sup>5</sup> Reports and Analysis Service, Placement Activities, Washington, D. C., War Manpower Commission, December 1943.

<sup>6</sup> Hayes, L. J. W., The Negro Federal Government Worker, Washington, D. C., masters thesis, Howard University, 1941.

<sup>7</sup> Northrup, H. R., Organized Labor and Negro Workers, The Journal of Political Economy, Chicago, University of Chicago Press, June 1943 (p. 203).



facing, that Members on this side of the aisle have a sort of a rendezvous with destiny in a few days.

Mr. BARKLEY. I do not know whether it is a rendezvous or—

Mr. WHITE. Well, I am simply grabbing an expression out of the air.

Mr. BARKLEY. It may be a slaughterhouse. We cannot tell.

Mr. WHITE. Well, we have high hopes.

Mr. McKELLAR. Mr. President, inasmuch as the Senator from Maine has referred to me, I will say that I am doing everything humanly possible to get the pending bill through the Senate this week. I have an idea that it can be gotten through the Senate more quickly by letting it go along until tomorrow, and permit as many Senators as wish to speak this afternoon to speak, but let us for heaven's sake try to reach a conclusion of the measure quickly. I hope it will be voted on tomorrow because we have to finish about two bills a day in order to complete necessary action this week.

Mr. BARKLEY. I will say to the Senator from Tennessee that, in addition to the appropriation bills to which he refers, there is other legislation pending. The bill affecting the Office of Price Administration, extension of the Stabilization Act, has yet to become law. As everyone knows the present O. P. A. law expires the 30th of this month. We certainly cannot even consider taking any recess, even for a convention, with that law about to expire and with no action taken to extend it. The conferees have been working on it ever since it was referred to them in an effort to get together. They have not yet completed their work. We hope to have it completed tomorrow. There are other matters which ought to be disposed of quickly.

Mr. RUSSELL. I hope the Senator from Kentucky will include the bill providing for continuation of the present rate of interest by the Federal land bank.

Mr. BARKLEY. Yes; that is one of the many other measures which I think we ought to dispose of. Before we get ready to take a recess—if we are to take one—there are a good many things which need attention at once. It is urgent that we do not delay longer.

Mr. MAYBANK. Mr. President, I invite the attention of the Senator from Kentucky to the fact that some time ago a bill was passed in the House dealing with an order issued by Mr. Eccles in connection with the banks. It should certainly be considered by the Senate before any long recess is taken.

Mr. BARKLEY. That bill is still in committee. It has not been acted upon by the committee. Hearings have not been held upon it.

Mr. MAYBANK. That may be true, but it is extremely embarrassing to the bankers of the United States and to those who are suffering not to know how their business stands. I hope that before we take any long recess—I am not suggesting a recess for the Republican convention, but I am in thorough agreement with the distinguished minority leader that such a recess should be

taken—we should determine whether or not the bankers of the United States are to be kept in ignorance as to how their business stands, after a bill has been passed unanimously by the House of Representatives. I shall insist upon consideration of that bill.

Mr. WHITE. Mr. President, I should like to say a word further about the situation. I am in complete agreement with the Senator from Kentucky that there are other pieces of legislation than the matter now pending before us which must be disposed of before a recess is taken. I have no desire to criticize the debate on the pending bill. I think it has been germane to the bill, and has been carried on in good spirit. I think there has been no uncalled for discussion. I have been disappointed that it has taken so long. I had hoped that we might dispose of the bill this afternoon.

We might as well be perfectly frank about the situation. It so happens that Members on this side of the aisle had hoped they might leave here tomorrow, at least temporarily, for a day or two. I had hoped that the situation might be such that they could leave with propriety. It seems to me that we should make every effort to hasten the disposition of this bill. If we cannot agree now as to a time for the final vote, I hope it will be understood that we will remain in session until at least 6 o'clock this evening, and make that much of a contribution to the termination of the debate and the passage of the bill.

Mr. McKELLAR. That would be entirely satisfactory to me.

Mr. BARKLEY. I think that would be a very proper contribution to winding up the debate.

Mr. McKELLAR. That is entirely satisfactory to me.

I hope we can vote on the bill before 2 o'clock tomorrow afternoon. I see no reason why we cannot.

Mr. DAVIS. Mr. President, more than half a century ago I first began work in the iron and steel mills of the great Commonwealth of Pennsylvania.

During my years of labor in the mills I have seen men from almost every nation come to this country and accept employment in those same mills.

I have worked side by side with some of those men, and I know that in many cases the discriminations practiced against them made it virtually impossible for them to obtain employment. I have seen men shunted from town to town and from city to city—denied all employment because of their activities in behalf of the advancement and security of their fellow workers.

Mr. President, no American should be discriminated against. America is a free land, where all men should be treated as free citizens. I shall vote in favor of an appropriation for the F. E. P. C., in order that America and its citizens may always remain free.

Mr. SHIPSTEAD obtained the floor.

Mr. BILBO. Mr. President, will the Senator from Minnesota yield to me to make an observation while the Senator from New York [Mr. WAGNER] is present?

Mr. WAGNER. Mr. President—

Mr. BILBO. I should like to make an observation while the Senator from New York is present.

Mr. WAGNER. Mr. President, I should like to make an observation.

Mr. SHIPSTEAD. Mr. President, if there is to be any controversy, I shall not yield. I understand that the Senator from New York wishes to file a report.

Mr. WAGNER. Yes.

Mr. SHIPSTEAD. I yield for that purpose.

Mr. WAGNER. Mr. President, I ask unanimous consent that during the recess of the Senate I may be permitted to submit the report of the conference on the O. P. A. bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. BILBO. Mr. President, will the Senator from Minnesota yield to me so that I may make an observation to the Senator from New York [Mr. WAGNER]?

Mr. SHIPSTEAD. Mr. President, in my experience an observation in the Senate may require a long time.

Mr. BILBO. I shall require less than 1 minute. May I have the Senator's permission.

Mr. SHIPSTEAD. Does the Senator say 1 minute?

Mr. BILBO. I shall require less than 1 minute.

Mr. SHIPSTEAD. I am glad to yield with that understanding.

Mr. BILBO. Mr. President, I join with the Senator from South Carolina [Mr. MAYBANK] in making a very special request of the Senator from New York, who is chairman of the Committee on Banking and Currency, that if possible he adopt the hearings before the House Committee on the Federal Reserve regulation known as regulation Q. I have heard from practically every banker in the State of Mississippi. This is a very important and urgent matter with them. It is vital to their very life. Early action is very desirable. I trust that the Senator may see his way clear to adopting the hearings before the House committee, so that the Senate may act upon the bill one way or the other.

That is all I wish to say.

Mr. MAYBANK. Mr. President, will the Senator from Minnesota yield so that I may make a very brief statement in connection with what the Senator from Mississippi [Mr. BILBO] has said?

Mr. SHIPSTEAD. I shall be glad to yield for a moment.

Mr. MAYBANK. Again I wish to call attention to the banking bill which is pending before the Committee on Banking and Currency. I do not know whether it is necessary to have a recess of the Senate for more than 10 days. That seems to me to be a very long time. I again insist that before any recess for longer than 10 days is taken, the people of my section and the people of the entire country who are suffering should know whether or not they are to continue to suffer under the orders of Mr. Eccles.



## DISCLOSURE OF SECRET DIPLOMATIC CORRESPONDENCE

Mr. SHIPSTEAD. Mr. President, let me say in the beginning that I do not rise to interfere with the progress of the bill before the Senate. I do not intend to discuss the pending bill. I intend to refer to a matter which in my opinion is of such great importance that it ought to be called to the attention of the Congress of the United States. It deals with a newspaper dispatch from London, England, which has passed through the British censor. It deals with the debate in the Parliament of Great Britain. That debate was participated in by members of the three parties represented in the British Parliament, and it is of such a grave character that it reflects upon the integrity not only of the Government of the United States, but also, to some extent, upon the integrity of the Government of Great Britain. I am amazed that the British censor should pass it, but because the British censor has passed it, I assume that it has the imprimatur of the British Government.

We hear much gossip, and many stories have been peddled around for years, and no one has said anything about them; but because the Parliament of a foreign government has officially taken cognizance of it, it seems to me to be the duty of the Congress of the United States also to take cognizance of it, since it reflects upon the integrity of our own Government.

I wish to read the dispatch for the Record. It is a dispatch from London, passed by the British censor, on June 16. The headline reads as follows:

Commons told F. D. R. pledged aid before war—Mr. P. says Churchill got promise.

At that time Mr. Churchill was not Prime Minister. He was a private citizen. I read from the dispatch:

LONDON, June 16.—President Roosevelt promised Prime Minister Churchill before Britain entered the war that America would come to her aid. This accusation was made today in the House of Commons by John McGovern, an independent Laborite.

In a debate on regulation 18-B, in which the minister of home security is given authority to detain in prison without trial any person he suspects to be dangerous to the war effort, McGovern asked whether the reason for the continued detention of Capt. A. H. M. Ramsay, a member of Parliament, was that he might make sensational disclosures about pre-war negotiations between Churchill and Roosevelt.

McGovern linked the detention of Ramsay to the arrest of Tyler Kent, American embassy clerk, whose mother, a resident of Washington, D. C., has been fighting for his release for 4 years. Kent was sentenced to 7 years' imprisonment in camera on a charge of disclosing embassy secrets. He was a code clerk and had access to diplomatic correspondence.

I quote the words of the member of Parliament, Mr. McGovern:

"I have been told that Captain Ramsay is not in because he is a Fascist." McGovern said, "but because Tyler Kent took copies of letters from a diplomatic bag between the Prime Minister and the President of the United States. The Prime Minister was soliciting military aid in the event this country was going to war and preparations were made and promises given by the President of the United States through the diplomatic bag."

That was done when the present Prime Minister was not Prime Minister.

I continue to quote the words of the member of Parliament:

I am told that while the present Prime Minister was First Lord of the Admiralty under the late Neville Chamberlain—

That was when the present Prime Minister was head of the British admiralty, and when Chamberlain was Prime Minister and head of the British Government—

he still was carrying on this campaign behind the back of his Prime Minister—

I am quoting the words of a member of the British Parliament—

engaging in the exchange of letters through the diplomatic bag in order to find out the strength of American support and whether America could be depended upon to come into the war.

That was before Winston Churchill was Prime Minister. At that time he had the status of a private citizen.

I quote further from the words of the Member of the British Parliament:

It is said that if Ramsay were released—

Ramsay was a member of Parliament, and is now in jail—

it would be extremely dangerous and difficult for him to be going around substantiating these things and stating that they are true, and therefore that he is being held because the Prime Minister does not want him to be liberated.

So we have this controversy, with a member of Parliament held in jail without a trial or a hearing, under a directive known as 18-B.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. SHIPSTEAD. I will, if the Senator wishes to ask a question.

Mr. WHEELER. I was going to say that my understanding of the matter is that Ramsay was put in jail under one of the war powers.

Mr. SHIPSTEAD. That is correct.

Mr. WHEELER. But Tyler Kent is an American citizen who was working for the American Embassy in London. He was charged in a British court, and was tried in a secret British court for stealing from the American Embassy or, rather, for embezzling certain papers and for showing certain correspondence or cablegrams between Mr. Churchill and President Roosevelt. For that he was tried in a British secret court, and was sent to jail.

Mr. SHIPSTEAD. That is correct.

Mr. WHEELER. Mrs. Kent came to see me some time ago. I may state that she is from a very respectable Virginia family, and her husband served for a long time in the Consular Service. She came to see me, and told me her son was charged and tried, and was put in jail for 7 years. I was unable to believe that an American boy connected with the American Embassy could be tried in a secret British court, under the protocol and under the laws of the United States. So I wrote a letter to Secretary Hull, asking him how it was that an American boy could be tried in a secret British court for stealing, or embezzling, or getting hold of papers which went through the American Embassy. I received no

answer to that letter. Because of the fact that Mr. Joseph P. Kennedy was at that time American Ambassador to Great Britain, I sent him a copy of the letter.

As I said, I received no response to my letter. But the State Department did send Mr. Shaw, of the State Department, to see me.

It seems, according to information which has been verified, that the boy got hold of certain cablegrams and made photostatic copies of them, as I understand, and showed them to other persons. I understand that he showed them to a Russian woman.

Mr. SHIPSTEAD. And to a member of Parliament, Mr. Ramsay.

Mr. WHEELER. Yes; he also showed them to a member of Parliament.

Of course, that was a very serious thing. No one would uphold Kent in what he did.

I cannot understand how an American citizen could be tried in a British secret court. I understand that our State Department paid a lawyer to help defend him. But our State Department, in so doing, was hiring someone to defend the boy against the charge of having done something against the American Embassy. The boy is still in jail. What would happen if we should arrest a member of the British Embassy here and endeavor to try him in an American secret court? Of course, the British Government would immediately protest, and we would not try him in a secret or a public court.

Mr. SHIPSTEAD. He would be sent back to England to be tried under the laws of England.

Mr. WHEELER. He would be sent back to be tried in England. That is what aroused my interest in the matter. I received no reply from Mr. Kennedy, although he did call me on the telephone.

My understanding is that no foreigner is allowed to use the American code. It is my understanding that at the time under discussion Mr. Churchill was the First Lord of the Admiralty in Mr. Chamberlain's cabinet. He could not use the British code. In other words, he would not dare to use the British code, if the information which came to me from Mrs. Kent is correct.

Mr. SHIPSTEAD. He could not use the code without the consent of Chamberlain.

Mr. WHEELER. No; and, of course, he would not use it to send the kind of a message which was sent. So he was permitted to use the American code, which, in my judgment, as I understand the law, is not to be used by any foreigner. I may be entirely wrong about it. However, I received no satisfactory answer as to why this American boy was tried in a British secret court. I cannot understand why our State Department or our Government permitted it. The boy had been in the diplomatic service for a long time. He had been in Russia for some time. He was taken out of Russia because, as I understand, he became very anti-Communist there, and was transferred to London. He went to Russia, as I understand, with Mr. Bullitt, and was then employed in London as a



ment; is it not? And the Senator from Texas has said that these matters were referred to the Secretary of State.

Mr. McKELLAR. I will back the Senator in the statement he has made respecting Mr. Cordell Hull.

Mr. HATCH. And the Secretary waived diplomatic immunity because this man violated the laws of the country in which he was serving. There has never been a greater protector of individual liberty, of the right of trial by jury, than the British people. There has never been a greater protector of American liberty than our own Secretary of State. The Senator from Minnesota may quote someone in the British Parliament, but he can never convince me that Cordell Hull unjustly waived the rights of an American citizen.

Mr. SHIPSTEAD. I am not trying to convince the Senator of anything.

Will the Senator yield to me for a moment?

Mr. HATCH. I do not have the floor.

Mr. SHIPSTEAD. According to the record the young man was tried in secret chamber, in camera. He was not tried by jury. I am not accusing the Parliament of anything.

Mr. HATCH. I think the Senator is speaking of something of which he knows nothing.

Mr. WHEELER. No; he was tried in a secret British court. There is no claim otherwise, and the State Department will so advise the Senator.

Mr. SHIPSTEAD. He was tried in camera.

Mr. CONNALLY. Let me say that that is no doubt true. All violations of the Defense of the Realm Act are tried in secret, because diplomatic correspondence and transactions would have to be revealed if a public trial were had.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. SHIPSTEAD. The question is not whether this man committed an ordinary crime. The question is, Did he reveal and did he give to a private citizen of Britain, who made use of it, the secret code of the Department of State of the United States? I am not saying that he did.

Mr. CONNALLY. I am not saying that he used the code. I do not know. But he did have photostatic copies made of certain diplomatic correspondence, and he conveyed that to a member of the House of Commons and to a woman spy of Russia.

Mr. President, I have trespassed too long upon the time of the Senate. I wish to thank the Senator from Minnesota for his kindness in furnishing me these newspapers.

Mr. President, I hope no Senator will deduce from anything I have said any criticism of the Senator from Minnesota or of the Senator from Montana. I am perfectly willing that there be the fullest and the freest debate. I was only contending that we should not here in this great forum give currency over the radio and through the news columns to any statement for which we ourselves cannot vouch, and we ought not to make a statement unless we know it to be true, or

unless we have what we think is adequate proof. Let not charges be based on "it is said," on hearsay, on rumor, on gossip, and on the filmy clouds of conversation and deduction and wishful thinking, but let the charges be made upon the basis of fact.

Mr. SHIPSTEAD. I have made no accusation. The only reason I brought the matter to the attention of the Senate was because it came from an official source, from the Parliament of Great Britain, an ally of ours. The debate was participated in by members of three parties in the British Parliament. No one arose on the floor of Parliament to deny the things which were said. I have no personal interest in the matter; but, because a great parliament of a great government engaged in the debate, and some of its members uttered sentiments reflecting upon the Government of the United States, I thought we ought to take some cognizance of the matter, that it ought to be brought to our attention for what it is worth, and if the Congress sees fit to do something about it, very well, that is up to the Senate and up to the House. But I will not stand here silent when members of a foreign parliament make such statements as were made, when members of various parties represented in it agree to the same statements, and whether they are based on fact or not, they all agree that there is something in these transactions. The man in question is in jail, and it is charged that he was not tried according to law. Here is a member of Parliament tried under a war regulation. He was a collaborator with the young man working for the State Department of the United States. This matter is so important that I did not think we as a Congress could let the official debate continue without a recognition of it. It is up to the Congress to do what it wishes about it. It is for the Congress to decide whether it wishes to do anything about it. However, I was firmly and conscientiously of the opinion that it must be called to the attention of the Senate. I have no personal interest in the matter.

Mr. BILBO. Mr. President, I think it is extremely regrettable that it became necessary in this discussion to listen to such a severe denunciation of the head of the Russian Government on the floor of the United States Senate, when Russia is at the present time our very helpful ally in the World War. Without her help the issue might be in doubt. She has just finished a campaign sacrificing more than 8,000,000 Russian lives in order that the tyrants whom we are fighting may be destroyed.

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

Mr. BILBO. Mr. President, I have been waiting for about 2 hours to deliver my speech on the amendment of the Senator from Georgia [Mr. RUSSELL] to the pending appropriation bill. It is

evident that it is too late to begin my remarks.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. CONNALLY. I think the Senator ought to thank us, because if his speech goes over until tomorrow, he will have a better gallery, a better press, and more listeners on the floor of the Senate.

Mr. BILBO. Secretly, I am gratified.

Mr. President, I ask unanimous consent that I may obtain the floor at the beginning of the session tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

#### EXECUTIVE SESSION

Mr. McKELLAR. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. STEWART in the chair) laid before the Senate messages from the President of the United States, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BANKHEAD, from the Committee on Agriculture and Forestry:

Charles Franklin Brannan, of Colorado, to be Assistant Secretary of Agriculture, vice Grover B. Hill.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

#### COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of A. Miles Pratt to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the calendar.

Mr. McKELLAR. I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

#### DISTRICT PUBLIC UTILITIES COMMISSION—NOMINATION OF J. FRANCIS REILLY

Mr. BILBO. Mr. President, on June 8 the Senate confirmed the nomination of J. Francis Reilly to be a member of the Public Utilities Commission of the District of Columbia. His place of residence was stated in the nomination as being the State of Maryland. In fact, he is a resident of the District of Columbia. The Senate having no authority to make the proper change, in the nomination, the President has sent to the Senate a



corrected nomination of Mr. Reilly, properly stating his residence as being in the District of Columbia.

I therefore ask unanimous consent for the present consideration of the nomination, with a view to its confirmation without reference to the Committee on the District of Columbia, which has already considered the question.

Mr. WHITE. Mr. President, my attention was diverted, and I did not hear the request. Does this relate to the confirmation of a nomination?

Mr. BILBO. This is a nomination which has already been confirmed. A new nomination has been submitted, because the address of the nominee was inaccurately stated in the nomination previously confirmed.

Mr. WHITE. As I understand, this is a case in which there was a mistake as to the residence, and this nomination is only for the purpose of correcting the error.

Mr. BILBO. That is correct.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none, and the nomination will be stated.

The legislative clerk read the nomination of J. Francis Reilly, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BILBO. I ask unanimous consent to enter a motion to reconsider the vote confirming the previous nomination, and move that the President be requested to return the resolution of notification to the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and the motion to reconsider the vote confirming the previous nomination will be entered.

The question is on agreeing to the motion of the Senator from Mississippi that the President be requested to return the resolution of notification to the Senate.

The motion was agreed to.

#### RECESS

Mr. McKELLAR. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, June 20, 1944, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate June 19 (legislative day May 9), 1944:

##### UNDER SECRETARY OF THE NAVY

Ralph A. Bard, of Illinois, to be Under Secretary of the Navy.

##### REGISTER OF LAND OFFICE

William Riddell, of Montana, to be register of the land office at Billings, Mont. (Reappointment.)

##### UNITED STATES PUBLIC HEALTH SERVICE

The following-named for appointment and promotion in the regular corps of the United States Public Health Service:

##### TO BE ASSISTANT SURGEONS EFFECTIVE DATE OF OATH OF OFFICE

Frederic C. Bartter	David F. Bradley
Leon A. Heppel	Joseph E. Maurer
Francis S. Schwarz	Rheim M. Jones
Griffith E. Quinby	William R. Rosanoff
Robert J. Huebner	Warren S. Kennison
James K. Norman	

##### TO BE PASSED ASSISTANT SURGEON EFFECTIVE DATE OF OATH OF OFFICE

Luther L. Teiry  
SURGEON TO BE TEMPORARY SENIOR SURGEON  
EFFECTIVE JUNE 1, 1944

Edwin Gantt Williams.

##### PASSED ASSISTANT SURGEON TO BE TEMPORARY SURGEON EFFECTIVE JUNE 1, 1944

James Barclay Donaldson

##### ASSISTANT SURGEON TO BE TEMPORARY PASSED ASSISTANT SURGEON EFFECTIVE JUNE 1, 1944

Joseph P. Kesler

##### SENIOR SURGEONS TO BE MEDICAL DIRECTORS EFFECTIVE DATES INDICATED

Joseph W. Mountin, July 17, 1944.

Ralph E. Porter, July 15, 1944.

##### IN THE MARINE CORPS

Brig. Gen. Clifton B. Cates to be a major general in the Marine Corps, for temporary service, from the 1st day of February 1944.

##### PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be first lieutenants with rank from July 1, 1944

Second Lt. William Allen Daniel, Air Corps (temporary lieutenant colonel).

Second Lt. Robert Gabel Emmens, Air Corps (temporary lieutenant colonel).

Second Lt. Franklin H. MacNaughton, Air Corps (temporary lieutenant colonel).

Second Lt. William John Kennedy, Air Corps (temporary major).

Second Lt. John Bailey Henry, Jr., Air Corps (temporary lieutenant colonel).

Second Lt. Harry MacCulloch Pike, Air Corps (temporary lieutenant colonel), subject to examination required by law.

Second Lt. Kenneth Walter Northamer, Air Corps (temporary lieutenant colonel).

Second Lt. Jack Gillespie Milne, Air Corps (temporary major).

Second Lt. Luther Henry Richmond, Air Corps (temporary lieutenant colonel).

Second Lt. William Frank Savoie, Air Corps (temporary major).

Second Lt. Carver Thaxton Bussey, Air Corps (temporary lieutenant colonel).

Second Lt. Glenn Smith Finley, Jr., Cavalry (temporary major).

Second Lt. Philip Wendell Constance, Ordnance Department (temporary major).

Second Lt. Lindsey Hartford Vereen, Air Corps (temporary lieutenant colonel).

Second Lt. Charles David Sonnkab, Air Corps (temporary lieutenant colonel).

Second Lt. Carl Erwin Dreyes, Ordnance Department (temporary major).

Second Lt. James Wyatt Newsome, Air Corps (temporary lieutenant colonel).

Second Lt. James Raymond Lyons, Air Corps (temporary major).

Second Lt. Harry Hunt Towler, Jr., Air Corps (temporary major).

Second Lt. Nathan Bourne Hays, Air Corps (temporary major).

Second Lt. Russell Keith Brock, Air Corps (temporary major).

Second Lt. James William Guthrie, Air Corps (temporary major).

Second Lt. Quinter Paul Gerhart, Air Corps (temporary major).

Second Lt. Robert Wiygul Burns, Air Corps (temporary lieutenant colonel).

Second Lt. James Collins Bagg, Quartermaster Corps (temporary captain).

Second Lt. James Willard Guest, Field Artillery (temporary major).

Second Lt. Harold Broudy, Coast Artillery Corps (temporary captain).

Second Lt. Arnold Beverly Addestone, Ordnance Department (temporary major).

Second Lt. Joseph Lowery Amell, Jr., Field Artillery (temporary captain).

Second Lt. Allan Gardner Pixton, Field Artillery (temporary lieutenant colonel).

Second Lt. Joseph Ruane McGuire, Field Artillery (temporary major).

Second Lt. Henry John Amen, Air Corps (temporary lieutenant colonel).

Second Lt. William Elmer Zins, Air Corps (temporary major).

Second Lt. Grover Cleveland Brown, Air Corps (temporary colonel).

Second Lt. Albert James Moye, Air Corps (temporary major).

Second Lt. Harry James Sands, Jr., Air Corps (temporary lieutenant colonel).

Second Lt. David Warren Hassemer, Air Corps (temporary lieutenant colonel).

Second Lt. Robert Brown Coen, Air Corps (temporary major).

Second Lt. Ralph Leslie Michaelis, Air Corps (temporary colonel).

Second Lt. Arthur Clarke Perry, Air Corps (temporary major).

Second Lt. Frank Leslie Nims, Air Corps (temporary major).

Second Lt. Robert Haynes McCutcheon, Air Corps (temporary lieutenant colonel).

Second Lt. Charles McDonald Parkin, Jr., Corps of Engineers (temporary major).

Second Lt. Keith Philip Fabianich, Infantry (temporary captain).

Second Lt. Herman Richard Schell, Infantry (temporary captain).

Second Lt. Alexis Michael Gagarine, Infantry (temporary first lieutenant).

Second Lt. Harland Glen Wood, Coast Artillery Corps (temporary major).

Second Lt. John Carl Sparrow, Quartermaster Corps (temporary captain).

Second Lt. Arthur McMurrugh Murphy, Infantry (temporary captain).

Second Lt. Donald Heck, Signal Corps (temporary major).

Second Lt. Albin Felix Irzyk, Cavalry (temporary major).

Second Lt. Richard James Darnell, Infantry (temporary major).

Second Lt. Lewis Warner Fogg 3d, Corps of Engineers (temporary captain).

Second Lt. Gordon Lowell Chambers Scott, Corps of Engineers (temporary captain).

Second Lt. Ray C. Conner, Ordnance Department (temporary lieutenant colonel).

Second Lt. Peter Leon Urban, Coast Artillery Corps (temporary major).

Second Lt. James Erwin Crosby, Jr., Air Corps (temporary major).

Second Lt. Robert Eldon Phelps, Infantry (temporary captain).

Second Lt. Morris Cowan Stout, Field Artillery (temporary captain).

Second Lt. James Moore Boyd, Air Corps (temporary captain).

Second Lt. Douglas Hugh Sullivan, Field Artillery (temporary captain).

Second Lt. Glen Carl Long, Infantry (temporary major).

Second Lt. Alvin Ethelbert Cowan, Infantry (temporary major).

Second Lt. Fred Allan Pierce, Jr., Infantry (temporary major), subject to examination required by law.

Second Lt. Jeff William Boucher, Corps of Engineers (temporary major).

Second Lt. Gerald Elbert Gowell, Cavalry (temporary major), subject to examination required by law.

Second Lt. James Miller Hustead 2d, Field Artillery (temporary captain).

Second Lt. Zebulon LaFayette Strickland, Jr., Coast Artillery Corps (temporary captain).

Second Lt. Leonard Shirley Wilhelm, Infantry (temporary major).









H. R. 4879

JUNE 20, 1944

Ordered to be printed with the amendments of the Senate numbered

# AN ACT

Making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any money  
4       in the Treasury not otherwise appropriated, for the sup-  
5       port of war agencies for the fiscal year ending June 30,  
6       1945, and for other purposes, namely:

# TITLE I

## EXECUTIVE OFFICE OF THE PRESIDENT

## OFFICE OF CENSORSHIP

10 Salaries and expenses: For all necessary expenses of the  
11 Office of Censorship, including the employment of aliens as

1 examiners or translators; the employment of a Director and a  
 2 deputy director at not exceeding \$10,000 and \$9,000 per  
 3 annum, respectively; not to exceed \$20,000 for temporary  
 4 personal services without regard to civil-service and clas-  
 5 sification laws; travel expenses (not to exceed \$165,000);  
 6 travel expenses of appointees from point of induction in  
 7 continental United States to their first posts of duty outside  
 8 continental United States and such expenses of employees  
 9 returning from their places of employment outside con-  
 10 tinental United States to their homes in the United States  
 11 or possessions or in foreign countries; reimbursement at  
 12 not to exceed 3 cents per mile to employees for expenses  
 13 incurred by them for official travel in privately owned auto-  
 14 mobiles within the limits of their official stations; printing and  
 15 binding (not to exceed \$275,000); rental of news and other  
 16 reporting services; rental and/or operation of photographic,  
 17 communication, and other equipment and devices; hire (and  
 18 not to exceed \$3,500 for the ~~(1)~~*purchase purchase*) of motor-  
 19 propelled passenger-carrying vehicles; purchase of guard uni-  
 20 forms; purchase of special wearing apparel or equipment for  
 21 protection of employees while engaged in their work; not to  
 22 exceed \$10,000 for scientific research on models, devices,  
 23 and other items related to the functions of the Office of  
 24 Censorship without regard to section 3709 of the Revised  
 25 ~~(2) Statutes~~ *Statutes*; \$29,700,000: *Provided*, That section



1 3709 of the Revised Statutes shall not be construed to apply  
 2 to any purchase made by or service rendered for the Office of  
 3 Censorship outside the continental limits of the United States  
 4 when the aggregate amount involved in such case does  
 5 not ~~(3)to~~ exceed \$500: *Provided further*, That not to exceed  
 6 \$10,000 of this appropriation shall be available for expenses  
 7 of a confidential character, to be expended under the direction  
 8 of the Director who shall make a certificate of the amount  
 9 of each such expenditure which he may think it advisable not  
 10 to specify and every such certificate shall be deemed a  
 11 sufficient voucher for the amount therein certified.

12 PETROLEUM ADMINISTRATION FOR WAR

13 Salaries and expenses: For all necessary expenses of  
 14 the Petroleum Administration for War in performing its  
 15 functions as prescribed by the President (Fed. Reg., Decem-  
 16 ber 4, 1942), including not to exceed \$425,000 for  
 17 personal services without regard to the civil-service and  
 18 classification laws but no part of this sum shall be used  
 19 to compensate any person who has been transferred from  
 20 a classification pay status to an ungraded pay status;  
 21 printing and binding not to exceed \$25,000; and not to  
 22 exceed \$390,000 for travel expenses; \$6,000,000: *Pro-*  
 23 *vided*, That section 3709, Revised Statutes, shall not apply  
 24 to any purchase or service rendered under this appropriation  
 25 when the aggregate amount involved does not exceed \$300.

1                   (4) SELECTIVE SERVICE SYSTEM

2           Salaries and expenses, Selective Service System: For  
3 all expenses necessary for the operation and maintenance  
4 of the Selective Service System as authorized by the Selective  
5 Training and Service Act of 1940 (50 U. S. C. App.  
6 301); including not to exceed \$400,000 for printing and  
7 binding; purchase, for replacement, of not to exceed thirty-  
8 two motor-propelled passenger-carrying vehicles; and,  
9 under such rules or regulations as may be prescribed by  
10 the Director of Selective Service, expenses of emergency  
11 medical care, including hospitalization, of registrants  
12 who suffer illness or injury, and the transportation,  
13 and burial, of the remains of registrants who suffer death,  
14 while acting under orders issued under the Selective Service  
15 law but such burial expenses shall not exceed \$150  
16 in any one case; \$61,500,000: *Provided*, That such  
17 amounts as may be necessary shall be available for the  
18 planning, directing, and operation of a program of work of  
19 national importance under civilian direction, either independently  
20 or in cooperation with governmental or non-  
21 governmental agencies, and the assignment and delivery  
22 thereto of individuals found to be conscientiously opposed to  
23 participation in work of the land or naval forces, which  
24 cooperation with other agencies may include the furnishing  
25 of funds to and acceptance of money, services, or other



1 forms of assistance from such nongovernmental agencies for  
2 the more effectual accomplishment of the work; and  
3 for the pay and allowances of such individuals at rates  
4 not in excess of those paid to persons inducted into  
5 the Army under the Selective Service System, and such  
6 privileges as are accorded such inductees: *Provided further,*  
7 That the travel of persons engaged in the administration of  
8 the Selective Service System, including commissioned, war-  
9 rant, or enlisted personnel of the Army, Navy, Marine  
10 Corps, or their reserve components, may be ordered by the  
11 Director or by such persons as he may authorize, and persons  
12 so traveling shall be entitled to transportation and subsistence  
13 or per diem in lieu of subsistence, at rates authorized by  
14 law: *Provided further,* That the Director of Selective  
15 Service, in prescribing per diem rates of allowance, not  
16 exceeding \$7, in lieu of subsistence for officers of the  
17 Army, Navy, and Marine Corps, and of the reserve com-  
18 ponents thereof, traveling on official business and away from  
19 their designated posts of duty, pursuant to the first paragraph  
20 of section 12 of the Act approved June 16, 1942 (37 U. S.  
21 C. 112), is hereby authorized to prescribe such per diem  
22 rates of allowance, whether or not orders are given to such  
23 officers for travel to be performed repeatedly between two or  
24 more places in the same vicinity, and without regard to the

1 length of time away from their designated posts of duty  
2 under such orders.

3 OFFICE OF STRATEGIC SERVICES

4 Salaries and expenses: For all expenses necessary to  
5 enable the Office of Strategic Services to carry out its func-  
6 tions and activities, including salaries of a Director at  
7 \$10,000 per annum, one assistant director and one deputy  
8 director at \$9,000 per annum each; procurement of neces-  
9 sary services, supplies and equipment without regard to  
10 section 3709, Revised Statutes; travel expenses, including  
11 expenses outside the United States without regard to  
12 the Standardized Government Travel Regulations and the  
13 Subsistence Expense Act of 1926, as amended (5 U. S. C.  
14 821-833) and any general provision for the fiscal year  
15 1945 to the contrary; preparation and transportation of  
16 the remains of officers and employees who die abroad or  
17 in transit, while in the dispatch of their official duties,  
18 to their former homes in this country or to a place not  
19 more distant for interment, and for the ordinary expenses  
20 of such interment; rental of news-reporting services; pur-  
21 chase of or subscription to commercial and trade reports;  
22 the rendering of such gratuitous services and the disposi-  
23 tion, free or otherwise, of such materials as the Director  
24 deems advisable; purchase or rental and operation of pho-  
25 tographic, reproduction, duplicating and printing machines,



1 equipment, and devices and radio-receiving and radio-send-  
2 ing equipment and devices; maintenance, operation, repair,  
3 and hire of motor-propelled or horse-drawn passenger-  
4 carrying vehicles and vessels of all kinds; printing and  
5 binding; exchange of funds without regard to section 3651,  
6 Revised Statutes (31 U. S. C. 543); purchase and free dis-  
7 tribution of firearms, guard uniforms, special clothing, and  
8 other personal equipment; the cost of a compartment or  
9 such other accommodations as may be authorized by the  
10 Director for security when authorized personnel are re-  
11 quired to transport secret documents or hand baggage con-  
12 taining highly technical and valuable equipment; \$57,000,-  
13 000, of which amount such sums as may be authorized by  
14 the Director of the Bureau of the Budget may be trans-  
15 ferred to other departments or agencies of the Government,  
16 either as advance payment or reimbursement of appropria-  
17 tion, for the performance of any of the functions or activities  
18 for which this appropriation is made: *Provided*, That \$37,-  
19 000,000 of this appropriation may be expended with-  
20 out regard to the provisions of law and regulations relating  
21 to the expenditure of Government funds or the employment  
22 of persons in the Government service, and \$35,000,000 of  
23 such \$37,000,000 may be expended for objects of a con-  
24 fidential nature, such expenditures to be accounted for solely  
25 on the certificate of the Director of the Office of Strategic

1 Services and every such certificate shall be deemed a suffi-  
 2 cient voucher for the amount therein certified.

3 **(5) COMMITTEE FOR CONGESTED PRODUCTION AREAS**

4 *Salaries and expenses: For all expenses necessary to*  
 5 *enable the Committee for Congested Production Areas to*  
 6 *carry out the functions vested in it by Executive Order 9327,*  
 7 *including traveling expenses (not to exceed \$48,000); print-*  
 8 *ing and binding (not to exceed \$2,550); purchase of news-*  
 9 *papers and periodicals (not to exceed \$600); the employ-*  
 10 *ment of State, county, or municipal officials and employees,*  
 11 *with or without compensation; and the temporary employ-*  
 12 *ment of persons or organizations, by contract or otherwise,*  
 13 *without regard to section 3709 of the Revised Statutes and*  
 14 *the civil service and classification laws (not to exceed*  
 15 *\$15,000); \$669,000.*

16 **EXECUTIVE OFFICE OF THE PRESIDENT—**

17 **OFFICE FOR EMERGENCY MANAGEMENT**

18 **DIVISION OF CENTRAL ADMINISTRATIVE SERVICES**

19 *Salaries and expenses: For all necessary expenses of*  
 20 *the Division of Central Administrative Services, including*  
 21 *traveling expenses (not to exceed \$140,000); printing and*  
 22 *binding (not to exceed \$50,000); ~~(6)~~\$7,783,000 \$8,356,-*  
 23 *000 (7): ~~Provided,~~ That there may be transferred from this*  
 24 *appropriation to appropriations available to the constituent*  
 25 *agencies of the Office for Emergency Management and to*



1 other agencies such amounts as may be necessary in connec-  
 2 tion with the transfer of functions from the Division to such  
 3 agencies and funds so transferred shall be consolidated with  
 4 and shall be expendable in the same manner as funds of the  
 5 agencies to which functions are transferred: *Provided,*  
 6 *That there may be transferred to this appropriation from*  
 7 *appropriations available to the constituent agencies of the*  
 8 *Office for Emergency Management and to the Office of Price*  
 9 *Administration such amounts as may be necessary for the*  
 10 *procurement of supplies, equipment, and services for such*  
 11 *agencies and such Administration, and funds so transferred*  
 12 *shall be consolidated with and shall be expendable in the*  
 13 *same manner as this appropriation: Provided further, That*  
 14 *the constituent agencies (except the War Shipping Admin-*  
 15 *istration) of the Office for Emergency Management and the*  
 16 *Office of Price Administration shall not establish, in the Dis-*  
 17 *trict of Columbia or in the field, fiscal, procurement, space*  
 18 *allocation or procurement, duplicating, distribution, com-*  
 19 *munication, or other general services, wherever the Director*  
 20 *of the Bureau of the Budget determines that the Division of*  
 21 *Central Administrative Services can render any such service.*

#### OFFICE OF CIVILIAN DEFENSE

23 Salaries and expenses: For all necessary expenses of the  
 24 Office of Civilian Defense, including salary of the Director

1 at not to exceed \$10,000 per annum; traveling expenses (not  
 2 to exceed ~~(8)\$150,300~~ \$112,725); printing and binding  
 3 (not to exceed ~~(9)\$13,000~~ \$9,750); ~~(10)\$538,500~~ \$403,-  
 4 875; and ~~(11)\$461,500~~ \$346,125 for storage, care, trans-  
 5 portation, and inspection of property purchased from funds  
 6 appropriated to the Office of Civilian Defense; in all,  
 7 ~~(12)\$1,000,000~~ \$750,000.

8       The appropriation herein made for the Office of Civilian  
 9 Defense shall constitute the total amount to be available for  
 10 obligation by such agency during the fiscal year 1945 and  
 11 shall not be supplemented by funds from any Federal source.

#### 12               COMMITTEE ON FAIR EMPLOYMENT PRACTICE

13       For all expenses necessary to enable the Committee on  
 14 Fair Employment Practice to carry out ~~(13)the~~ *any* func-  
 15 tions ~~(14)~~*lawfully* vested in it by Executive Orders Num-  
 16 bered 8802 and 9346, including salary of a Chairman at  
 17 not to exceed ~~(15)\$10,000~~ \$8,000 per annum and six other  
 18 members at not to exceed \$25 per diem when actually en-  
 19 gaged; travel expenses (not to exceed \$63,800); expenses  
 20 of witnesses in attendance at Committee hearings, when  
 21 necessary; printing and binding (not to exceed \$4,800);  
 22 purchase of newspapers and periodicals (not to exceed  
 23 \$500); and the temporary employment of persons, by con-  
 24 tract or otherwise, without regard to section 3709 of the  
 25 Revised Statutes and the civil service and classification laws



1 (not to exceed \$8,900) ; \$500,000 (16): *Provided, That*  
2 *no part of the funds herein appropriated shall be used to*  
3 *pay the compensation of any person to initiate, investigate,*  
4 *or prosecute any complaint against any defendant where such*  
5 *defendant does not have the same right to appeal an adverse*  
6 *decision of the Committee on Fair Employment Practice to*  
7 *the President of the United States, or to refer said complaint*  
8 *to the President of the United States for final disposition, as*  
9 *is asserted by or allowed the said Committee on Fair Em-*  
10 *ployment Practice in cases where persons complained against*  
11 *refuse to abide by its orders: Provided further, That no part*  
12 *of this appropriation shall be used to pay the compensation*  
13 *of any person to initiate, investigate, or prosecute any pro-*  
14 *ceeding against any person, firm, or corporation which may*  
15 *result in the seizure or operation of any plant or other prop-*  
16 *erty of such person, firm, or corporation by Federal authority*  
17 *for failure to abide by any rule or regulation of the Com-*  
18 *mittee on Fair Employment Practice, or for failure to abide*  
19 *by any order passed by the Committee on Fair Employment*  
20 *Practice: Provided further, That no part of the funds herein*  
21 *appropriated shall be used to pay the compensation of any*  
22 *person employed by said Committee on Fair Employment*  
23 *Practice who issues or attempts to enforce any rule, regula-*  
24 *tion, or order which repeals, amends, or modifies any law*  
25 *enacted by the Congress.*

## 1 OFFICE OF THE COORDINATOR OF INTER-AMERICAN

## 2 AFFAIRS

3 Salaries and expenses: For all necessary expenses of  
4 the Office of the Coordinator of Inter-American Affairs,  
5 including not to exceed \$15,000 for the temporary em-  
6 ployment of persons or organizations by contract or other-  
7 wise without regard to the civil-service and classification  
8 laws; employment of aliens; travel expenses, not to exceed  
9 \$175,000; printing and binding, not to exceed \$12,000;  
10 entertainment of officials and others of the other American  
11 republics; grants of money, property, or services to gov-  
12 ernmental and public or private nonprofit institutions and  
13 facilities in the United States and the other American  
14 republics; the free distribution, donation, or loan of publica-  
15 tions, phonograph records, radio scripts, radio transcrip-  
16 tions, art works, motion-picture scripts, motion-picture films,  
17 educational material, and other material and equipment;  
18 such other gratuitous assistance as the Coordinator may deem  
19 necessary and appropriate to carry out his program;  
20 expenses of transporting employees of the Office of the  
21 Coordinator and their effects from their homes to their  
22 places of employment in the other American republics,  
23 or from their homes in the other American republics  
24 to their places of employment, and return, when  
25 specifically authorized by the Coordinator; travel expenses



1 of dependents and transportation of personal effects, from  
2 their places of employment to their homes in the United  
3 States or in the possessions of the United States or in the  
4 other American republics, of employees for whom such  
5 expenses were paid by the Government on their assignment  
6 to posts in foreign countries; causing corporations to be  
7 created under the laws of the District of Columbia, any  
8 State of the United States, or any of the other American  
9 republics, to assist in carrying out the Coordinator's pro-  
10 gram and capitalizing such corporations: *Provided*, That  
11 corporations heretofore or hereafter created or caused to  
12 be created by the Coordinator primarily for operation out-  
13 side the continental United States shall determine and  
14 prescribe the manner in which their obligations shall be  
15 incurred and their expenses allowed and paid without re-  
16 gard to the provisions of law regulating the expenditure,  
17 accounting for and audit of Government funds, and may,  
18 in their discretion, employ and fix the compensation of  
19 officers and employees outside the continental limits of the  
20 United States without regard to the provisions of law ap-  
21 plicable to the employment and compensation of officers  
22 and employees of the United States: *Provided further*,  
23 That the Coordinator shall transmit to the President im-  
24 mediately upon the close of the fiscal year a complete  
25 financial report of the operations of such corporations;

1 (17) ~~\$18,000,000~~ \$17,000,000, of which \$4,000,000 is for  
 2 the payment of obligations incurred under the contract author-  
 3 ization of \$18,000,000 under this head in the National War  
 4 Agencies Appropriation Act, 1944, and in addition to said  
 5 appropriation the Coordinator is authorized to enter into con-  
 6 tracts during the fiscal year 1945 in an amount not exceeding  
 7 \$2,500,000 for obligations necessary for and incident to his  
 8 program: *Provided further*, That not to exceed \$200,000  
 9 of this appropriation shall be available to meet emergencies  
 10 of a confidential character to be expended under the direc-  
 11 tion of the Coordinator, who shall make a certificate of the  
 12 amount of such expenditure which he may think it advisable  
 13 not to specify and every such certificate shall be deemed  
 14 a sufficient voucher for the amount therein certified: *Pro-*  
 15 *vided further*, That notwithstanding the provisions of section  
 16 3679, Revised Statutes (31 U. S. C. 665), the Coordi-  
 17 nator is authorized in making contracts for the use of inter-  
 18 national short-wave radio stations and facilities, to agree  
 19 on behalf of the United States to indemnify the owners and  
 20 operators of such radio stations and facilities, from such  
 21 funds as may be hereafter appropriated for the purpose,  
 22 against loss or damage on account of injury to persons or  
 23 property arising from such use of said radio stations and  
 24 facilities.



1           OFFICE OF DEFENSE TRANSPORTATION

2           Salaries and expenses: For all necessary expenses of  
 3 the Office of Defense Transportation, including salary of the  
 4 Director at not to exceed \$12,000, traveling expenses (not  
 5 to exceed \$900,000, including reimbursement, at not to  
 6 exceed 3 cents per mile, of employees for official travel  
 7 performed by them in privately owned automobiles within the  
 8 limits of their official stations) ; printing and binding (not to  
 9 exceed \$130,000, including not to exceed \$5,000 for printing  
 10 and binding outside the continental limits of the United  
 11 States without regard to provisions of law governing  
 12 printing and binding (44 U. S. C. 111) ) ; payment, at rates  
 13 not in excess of those fixed by law for witnesses attending  
 14 in United States courts (28 U. S. C. 600c) , of fees, mileage,  
 15 and subsistence of witnesses appearing at hearings held by  
 16 the Office of Defense Transportation in connection with the  
 17 performance of its functions: *Provided*, That the payment of  
 18 subsistence to witnesses shall be subject to certification by  
 19 the Director of the Office of Defense Transportation or  
 20 his designee, as to the necessity therefor; ~~(18)\$18,000,000~~  
 21 \$17,000,000.

22           NATIONAL WAR LABOR BOARD

23           Salaries and expenses: For all necessary expenses of  
 24 the National War Labor Board, including salaries at not

1 to exceed \$10,000 per annum each for the four public mem-  
 2 bers and not to exceed \$9,000 per annum each for the four  
 3 alternate public members of the Board; travel expenses (not  
 4 to exceed ~~(19)\$1,000,000~~ \$1,060,000) ; printing and bind-  
 5 ing (not to exceed \$31,300) ; actual transportation and other  
 6 necessary expenses, and not to exceed \$25 per diem in  
 7 lieu of subsistence, whether or not in a travel status, of  
 8 other members, alternate members and associate members  
 9 of the Board while serving as such without other compensa-  
 10 tion from the United States ; ~~(20)\$15,000,000~~ \$15,250,000.

#### 11 OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

12 Salaries and expenses: For all necessary expenses of  
 13 the Office of Scientific Research and Development, including  
 14 the purchase of reports, documents, plans, or specifications;  
 15 the employment by contract or otherwise, without regard  
 16 to civil-service or classification laws, at not to exceed \$25  
 17 per day for individuals, of engineers, scientists, civilian  
 18 analysts, technicians, or other necessary professional per-  
 19 sonnel or firms, corporations, or other organizations thereof;  
 20 printing and binding; travel expenses, including, when spe-  
 21 cifically authorized or approved by the Director of the Office,  
 22 transportation of personal effects, of personnel to their first  
 23 posts of duty outside continental United States, and return;  
 24 travel expenses of personnel on official business outside con-  
 25 tinental United States and away from designated posts of



1 duty, on assignment with military forces, without regard to  
2 the Standardized Government Travel Regulations other than  
3 paragraph 45; the cost of a compartment or such other accom-  
4 modation as may be authorized by the Director for security  
5 when authorized personnel are required to transport secret  
6 documents or hand baggage containing highly technical and  
7 valuable equipment; and not to exceed \$6,000 for the enter-  
8 tainment of officials of other countries, \$120,000,000: *Pro-*  
9 *vided*, That there may be paid from this appropriation to the  
10 National Academy of Sciences a sum not exceeding \$150,000  
11 for the administrative and overhead expenses incurred by  
12 said academy during the fiscal year 1945 in carrying out  
13 research projects for Federal agencies, and such sum shall  
14 be in addition to any reimbursement otherwise provided  
15 for: *Provided further*, That notwithstanding the provisions  
16 of section 3679 of the Revised Statutes (31 U. S. C.  
17 665), the Office of Scientific Research and Development  
18 is authorized, in making contracts for the conduct of inves-  
19 tigations or experiments, to agree on behalf of the United  
20 States to indemnify the contractor from such funds as may  
21 be hereafter appropriated for the purpose, against loss or  
22 damage to persons or property arising from such work:  
23 *Provided further*, That funds available to any agency of the  
24 Government for scientific, technical, or medical research,

1 development, testing, construction of test models, experi-  
2 mental production, or the provision of facilities therefor,  
3 shall be available for transfer with the approval of the head  
4 of the agency involved, in whole or in part, to the Office  
5 of Scientific Research and Development, and funds so trans-  
6 ferred shall be expendable in the same manner as this ap-  
7 propriation: *Provided further*, That the Office of Scientific  
8 Research and Development may sell, lease, lend, or otherwise  
9 dispose of, under such terms and conditions as it may deem  
10 advisable, devices, scientific or technical equipment, models,  
11 or other articles of personalty, developed, constructed, pro-  
12 duced in or purchased for the performance of its scientific  
13 or medical contracts, except articles acquired for administra-  
14 tive purposes, and all receipts from such dispositions shall be  
15 covered into the Treasury as miscellaneous receipts.

16 OFFICE OF WAR INFORMATION

17 Salaries and expenses: For all necessary expenses of the  
18 Office of War Information, including the employment of a  
19 Director and Associate Director at not exceeding \$12,000  
20 and \$10,000 per annum, respectively; not to exceed  
21 \$75,000 for the temporary employment in the United  
22 States of persons by contract or otherwise without regard to  
23 the civil service and classification laws; employment of  
24 aliens; employment of persons outside the continental limits  
25 of the United States without regard to the civil service



1 and classification laws; travel expenses (not to exceed  
2 \$400,000 for travel within the continental limits of the  
3 United States); expenses of transporting employees and  
4 their effects from their homes to their places of employ-  
5 ment in a foreign country and return to their homes in the  
6 United States; purchase of radio time and purchase or rental  
7 of facilities for radio transmission; purchase, rental, construc-  
8 tion, improvement, maintenance, and operation of facilities  
9 for radio transmission and reception, including real prop-  
10 erty outside the continental limits of the United States  
11 and temporary sentry stations, guard barracks, and enclosures  
12 for the security of short-wave broadcasting facilities  
13 within the continental limits of the United States without re-  
14 gard to the provisions of section 355, Revised Statutes (40  
15 U. S. C. 255), and other provisions of law affecting the pur-  
16 chase or rental of land and the construction of buildings  
17 thereon; advertising in foreign newspapers without regard to  
18 section 3828, Revised Statutes (44 U. S. C. 324); printing  
19 and binding (not to exceed \$2,710,389, for such expenses  
20 within the continental limits of the United States), includ-  
21 ing printing and binding outside the continental limits of  
22 the United States without regard to section 11 of the Act  
23 of March 1, 1919 (44 U. S. C. 111); purchase or rental  
24 and operation of photographic, reproduction, printing,  
25 duplicating, communication, and other machines, equip-

1 ment, and devices; exchange of funds without regard to  
2 section 3651, Revised Statutes; purchase of four hundred and  
3 eighty-six motor-propelled passenger-carrying vehicles for  
4 use outside the continental limits of the United States which  
5 may be acquired without regard to statutory limitations as to  
6 price and authority to purchase; acquisition, production, and  
7 free distribution of publications, phonograph records, radio  
8 transcriptions, motion-picture films, photographs and pic-  
9 tures, educational materials, and such other items as the Di-  
10 rector may deem necessary to carry out the program of the  
11 Office of War Information, and sale or rental of such items  
12 by contract or otherwise to firms or individuals for use  
13 outside the continental limits of the United States; pur-  
14 chase, repair, and cleaning of uniforms for use by porters,  
15 drivers, messengers, watchmen, and other custodial em-  
16 ployees outside continental United States; such gratui-  
17 tous expenses of travel and subsistence as the Director  
18 deems advisable in the fields of education, travel, radio,  
19 press, and cinema; not to exceed \$125,000 for enter-  
20 tainment of officials and others in the fields of education,  
21 radio, press, and cinema of other countries; payment of  
22 the United States' share of the expenses of the maintenance,  
23 in cooperation with any other of the United Nations, of  
24 organizations and activities designed to receive and dis-  
25 seminate information relative to the prosecution of the war;



1 \$58,625,367: *Provided*, That, exclusive of the contingency  
 2 fund mentioned in the last proviso hereof, not more than  
 3 \$48,562,101 (including living and quarters allowances)  
 4 shall be allocated to the Overseas Operations Branch and  
 5 not more than ~~(21)\$2,200,000~~ \$2,464,633 shall be allo-  
 6 cated to the Domestic Operations Branch for the following  
 7 functions only: Office of the Director ~~(22), including book~~  
 8 ~~and magazine coordination sections;~~ (23) *Book and Maga-*  
 9 *zine Bureau;* (24) *Foreign News Bureau;* Office of Pro-  
 10 gram Coordination; News Bureau; Bureau of Special Serv-  
 11 ices; Radio Bureau; Motion Picture Bureau, not exceed-  
 12 ing ~~(25)\$50,000~~ \$54,428: *Provided further*, That not-  
 13 withstanding the provisions of section 3679, Revised Stat-  
 14 utes (31 U. S. C. 665), the Office of War Information is  
 15 authorized in making contracts for the use of international  
 16 short-wave radio stations and facilities, to agree on behalf  
 17 of the United States to indemnify the owners and operators  
 18 of said radio stations and facilities from such funds as may  
 19 be hereafter appropriated for the purpose, against loss or  
 20 damage on account of injury to persons or property arising  
 21 from such use of said radio stations and facilities: *Provided*  
 22 *further*, That not to exceed \$600,000 of this appropriation  
 23 shall be available to meet emergencies of a confidential char-  
 24 acter to be expended under the direction of the Director,  
 25 who shall make a certificate of the amount of such expendi-

1 ture which he may think it advisable not to specify and  
2 every such certificate shall be deemed a sufficient voucher  
3 for the amount therein certified: *Provided further*, That  
4 \$5,500,000 of this appropriation shall not be available for  
5 expenditure unless the Director of the Office of War Infor-  
6 mation, with the approval of the President, shall determine  
7 that such funds in addition to the other funds provided herein  
8 for the Overseas Branch are necessary for carrying on activi-  
9 ties in conjunction with actual or projected military opera-  
10 tions and that accounts for these funds may be merged with  
11 regular accounts.

12 No part of this or any other appropriation shall be ex-  
13 pended by the Office of War Information for the preparation  
14 or publication of any pamphlet or other literature, except  
15 the United States Government Manual, for distribution to  
16 the public within the United States.

17 The appropriation herein made for the Office of War  
18 Information shall constitute the total amount to be available  
19 for obligation by such agency during the fiscal year 1945  
20 and shall not be supplemented by funds from any source  
21 except by reverse lend-lease.

22 OFFICE OF WAR MOBILIZATION

23 Salaries and expenses: For all necessary expenses of  
24 the Office of War Mobilization, including salary of the  
25 Director at \$15,000 per annum; salaries of two Assist-



1 ant Directors at \$9,000 per annum each; not to exceed  
2 \$169,000 for the employment of persons or organizations by  
3 contract or otherwise without regard to section 3709, Revised  
4 Statutes, or the civil-service and classification laws; and  
5 printing and binding; \$900,000.

6 WAR PRODUCTION BOARD

7 Salaries and expenses: For all necessary expenses of  
8 the War Production Board, including salary of the Chair-  
9 man at \$15,000 per annum, and salaries of six vice chair-  
10 men or principal officials at \$10,000 per annum each; the  
11 employment of aliens; the employment of expert witnesses;  
12 not to exceed \$20,000 for the temporary employment of  
13 persons or organizations, by contract or otherwise, without  
14 regard to the civil-service or classification laws; not to exceed  
15 \$5,000 for entertainment of officials of other countries when  
16 specifically authorized or approved by the Chairman; reim-  
17 bursement at not to exceed 3 cents per mile, of employees  
18 for expenses incurred by them in performance of official  
19 travel in privately owned automobiles within the limits of  
20 their official stations; not to exceed \$4,625,000 for travel  
21 expenses, including travel to and from their homes or regular  
22 places of business in accordance with the Standardized Travel  
23 Regulations, including travel in privately owned automobile  
24 (and including per diem in lieu of subsistence at place of  
25 employment), of persons employed intermittently away from

1 their homes or regular places of business as compliance com-  
2 missioners and receiving compensation on a per diem when  
3 actually employed basis; not to exceed \$1,217,000 for print-  
4 ing and binding; not to exceed \$4,500,000 for scientific  
5 research on materials, material substitutes, and other subjects  
6 related to the functions of the Board, without regard to  
7 section 3648, Revised Statutes; and the rental, main-  
8 tenance and operation of one airplane; \$67,500,000: *Pro-*  
9 *vided*, That the requirement in section 301 of the Treas-  
10 ury and Post Office Departments Appropriation Act, 1943,  
11 and in section 201 (a) of the Independent Offices Appro-  
12 priation Act, 1944, that the payment of expenses of travel  
13 of employees on transfer from one official station to another  
14 must be authorized in the order directing the transfer is  
15 hereby waived with respect to such travel performed, with  
16 the approval of the Chairman of the Board, or his designee,  
17 in the fiscal year 1943, and in the fiscal year 1944 prior  
18 to November 1, 1943.

19 Smaller War Plants Corporation, administrative ex-  
20 penses: Not to exceed \$10,000,000 of the funds of the  
21 Smaller War Plants Corporation, acquired in accordance with  
22 the Act of June 11, 1942 (Public Law 603), shall be avail-  
23 able for the administrative expenses of such Corporation  
24 necessary to enable it to carry out the functions vested in it  
25 by such Act, to carry out the provisions of section 2 of such



1 Act, and such other functions as may be lawfully delegated to  
2 the Corporation (26), *including the salary of the Chairman*  
3 *of the Board at \$10,000 per annum*; not to exceed \$10,000  
4 for the employment of aliens; not to exceed \$500,000 for the  
5 temporary employment of persons or organizations by con-  
6 tract or otherwise without regard to the civil-service and  
7 classification laws for special services, including audits not-  
8 withstanding section 5 of the Act of April 6, 1914 (5  
9 U. S. C. 55); printing and binding; reimbursement, at  
10 not to exceed 3 cents per mile, of employees for ex-  
11 penses incurred by them in performance of official travel  
12 in privately owned automobiles within the limits of their  
13 official stations; the hire of motor-propelled passenger-  
14 carrying vehicles; procurement of supplies, equipment,  
15 and services without regard to section 3709 of the  
16 Revised Statutes where the amount involved in any one  
17 case does not exceed \$300; and rent in the District  
18 of Columbia: *Provided*, That, as determined by the chair-  
19 man of the Board of Directors, or such officer as may be  
20 designated by the Board of Directors for the purpose,  
21 expenditures (including expenditures for services performed  
22 on a force account or contract or fee basis) necessary  
23 in acquiring, operating, maintaining, improving, or dis-  
24 posing of real or personal property belonging to the Cor-  
25 poration or in which it has an interest (except property

1 acquired for the administrative purposes of the Corporation),  
2 including expenses of collections of pledged collateral and  
3 expenses of service and administration of its loans, advances,  
4 and property under section 6 of said Act of June 11, 1942,  
5 shall be considered as nonadministrative expenses for the  
6 purposes hereof: *Provided further*, That no part of said  
7 \$10,000,000 shall be obligated or expended unless and until  
8 an appropriate appropriation account shall have been estab-  
9 lished therefor pursuant to an appropriation warrant or a  
10 covering warrant, and all such expenses shall be accounted  
11 for and audited in accordance with the Budget and Account-  
12 ing Act.

13                                   WAR SHIPPING ADMINISTRATION

14       War Shipping Administration, revolving fund: To in-  
15 crease the War Shipping Administration revolving fund,  
16 \$450,000,000, which amount, together with other funds here-  
17 tofore or hereafter made available to such revolving fund,  
18 shall be available for carrying on all the activities and func-  
19 tions of the War Shipping Administration (not provided for  
20 under other appropriations made to said Administration),  
21 under Executive order of February 7, 1942 (7 F. R. 837),  
22 and heretofore or hereafter lawfully vested in such Admin-  
23 istration, including costs incidental to the acquisition, opera-  
24 tion, loading, discharging, and use of vessels transferred for  
25 use of any department or agency of the United States, for



1 carrying out the provisions of Executive Order Numbered  
2 9112 of March 26, 1942, and for all administrative expenses  
3 (not to exceed \$14,500,000 in the fiscal year 1945),  
4 including the employment and compensation of persons in  
5 the District of Columbia and elsewhere, such employment  
6 and compensation to be in accordance with laws applicable  
7 to the employment and compensation of persons by the  
8 United States Maritime Commission except section 201 (b)  
9 of the Merchant Marine Act, 1936 (49 Stat. 1985); ex-  
10 penses of attendance, when specifically authorized by the  
11 Administrator, at meetings concerned with the work of  
12 the Administration; actual transportation and other neces-  
13 sary expenses and not to exceed \$25 per diem in lieu of  
14 subsistence of persons serving while away from their  
15 permanent homes or regular places of business in an ad-  
16 visory capacity to or employed by the Administration  
17 without other compensation from the United States or at  
18 \$1 per annum; printing and binding; lawbooks, books of  
19 reference, periodicals and newspapers; teletype services;  
20 purchase, maintenance, repair, rental in foreign countries,  
21 and operation of passenger-carrying automobiles; travel ex-  
22 penses, including transportation of effects under regulations  
23 prescribed by the Administrator, of employees from their  
24 homes to their first post of duty in a foreign country; rent,  
25 including heat, light, and power, outside the District of

1 Columbia; necessary advance payments in foreign countries;  
2 and the employment, on a contract or fee basis, of  
3 persons, firms, or corporations for the performance of  
4 special services, including legal services, without regard  
5 to section 3709 of the Revised Statutes or the civil-service  
6 and classification laws: *Provided*, That when vessels are  
7 transferred or assigned permanently by the War Shipping  
8 Administrator to other departments or agencies of the United  
9 States Government for operation by them, funds for the  
10 operation, loading, discharging, repairs, and alterations,  
11 or other use of such vessels may be transferred from this  
12 fund to the applicable appropriations of the department or  
13 agency concerned in such amounts as may be approved by  
14 the Director of the Bureau of the Budget: *Provided further*,  
15 That the Secretary of the Treasury is hereby authorized and  
16 directed to transfer the sum of \$100,000,000 from the marine  
17 and war risk insurance fund to the War Shipping Admin-  
18 istration, revolving fund.

19 Maritime training fund, War Shipping Administration:  
20 For the training, recruitment, repatriation, rehabilitation,  
21 and placement of personnel for the manning of the merchant  
22 marine, and the establishment and maintenance of policies  
23 respecting maritime labor relations and conditions, and for  
24 administrative expenses (not to exceed \$4,000,000)  
25 including all the administrative items of expenditure



1 for which the appropriation "War Shipping Admin-  
2 istration, revolving fund", is available, and not to exceed  
3 \$2,500 for contingencies for the Superintendent, United  
4 States Merchant Marine Academy, to be expended in his dis-  
5 cretion, \$80,000,000, of which \$2,700,000 shall be avail-  
6 able for payment of obligations incurred in the fiscal year  
7 1944: *Provided*, That the amount which may be expended  
8 for administrative expenses in the fiscal year 1944 is hereby  
9 increased from \$2,600,000 to \$2,700,000.

10 State marine schools, War Shipping Administration:  
11 To reimburse the State of California, \$50,000; the State of  
12 Maine, \$50,000; the State of Massachusetts, \$50,000; the  
13 State of New York, \$50,000; and the State of Pennsylvania,  
14 \$50,000; for expenses incurred in the maintenance and  
15 support of marine schools in such States as provided in the  
16 Act authorizing the establishment of marine schools, and  
17 so forth, approved March 4, 1911, as amended (34 U. S. C.  
18 1121-1123); and for the maintenance and repair of vessels  
19 loaned by the United States to the said States for use in  
20 connection with such State marine schools, \$100,000; in all,  
21 \$350,000.

22 OFFICE FOR EMERGENCY MANAGEMENT—GENERAL

23 PROVISIONS

24 (a) The head of any constituent agency may delegate  
25 to any official in such agency or in the field offices of the

1 Division of Central Administrative Services the authority  
2 to make appointments of personnel and he may also delegate  
3 to any official in the agency of which he is the head the  
4 authority to make other determinations necessary for the  
5 conduct of the administrative management within such  
6 agency.

7 (b) Any employee of any of the constituent agencies  
8 is authorized, when designated for the purpose by the head  
9 of such agency, to administer to or take from any person  
10 an oath, affirmation, or affidavit, when such instrument is  
11 required in connection with the performance of the functions  
12 or activities of such agency.

13 (c) The head of any of the constituent agencies is  
14 authorized, in connection with the operations of such agency,  
15 to consider, ascertain, adjust, determine, and certify claims  
16 against the United States in accordance with the Act  
17 of December 28, 1922 (31 U. S. C. 215), and to designate  
18 certifying officers in accordance with the Act of December  
19 29, 1941, or to delegate authority to the Director of the Divi-  
20 sion of Central Administrative Services to designate em-  
21 ployees of such Division as certifying officers to certify  
22 vouchers payable against the funds of the constituent agency  
23 concerned.

24 (d) The appropriations for the constituent agencies  
25 under the Office for Emergency Management for the fiscal



1 year 1945 shall be available for the hire of motor-propelled  
2 passenger-carrying vehicles, and the appropriations for such  
3 agencies for the fiscal year 1944 shall be construed as having  
4 been available for such purpose.

5 **(27)INDEPENDENT EXECUTIVE AGENCIES**

6 *SELECTIVE SERVICE SYSTEM*

7 *Salaries and expenses, Selective Service System: For*  
8 *all expenses necessary for the operation and maintenance*  
9 *of the Selective Service System as authorized by the Selec-*  
10 *tive Training and Service Act of 1940 (50 U. S. C. App.*  
11 *301); including not to exceed \$400,000 for printing and*  
12 *binding and not to exceed \$1,000,000 for expenditure through*  
13 *other Federal agencies, and through State agencies without*  
14 *regard to section 3648 of the Revised Statutes, for gathering*  
15 *of medical and social history information on registrants;*  
16 *purchase, for replacement, of not to exceed thirty-two*  
17 *motor-propelled passenger-carrying vehicles; and, under*  
18 *such rules or regulations as may be prescribed by the*  
19 *Director of Selective Service, expenses of emergency*  
20 *medical care, including hospitalization, of registrants*  
21 *who suffer illness or injury, and the transportation,*  
22 *and burial, of the remains of registrants who suffer death,*  
23 *while acting under orders issued under the selective-*  
24 *service law but such burial expenses shall not exceed \$150*  
25 *in any one case; \$62,500,000: Provided, That such*

1 amounts as may be necessary shall be available for the  
2 planning, directing, and operation of a program of work  
3 of national importance under civilian direction, either inde-  
4 pendently or in cooperation with governmental or non-  
5 governmental agencies, and the assignment and delivery  
6 thereto of individuals found to be conscientiously opposed to  
7 participation in work of the land or naval forces, which  
8 cooperation with other agencies may include the furnishing  
9 of funds to and acceptance of money, services, or other  
10 forms of assistance from such nongovernmental agencies for  
11 the more effectual accomplishment of the work; and for the  
12 pay and allowances of such individuals at rates not in excess  
13 of those paid to persons inducted into the Army under the  
14 Selective Service System, and such privileges as are ac-  
15 corded such inductees: Provided further, That the travel of  
16 persons engaged in the administration of the Selective Serv-  
17 ice System, including commissioned, warrant, or enlisted  
18 personnel of the Army, Navy, Marine Corps, or their  
19 reserve components, may be ordered by the Director or by  
20 such persons as he may authorize, and persons so traveling  
21 shall be entitled to transportation and subsistence or per diem  
22 in lieu of subsistence, at rates authorized by law: Provided  
23 further, That the Director of Selective Service, in prescribing  
24 per diem rates of allowance, not exceeding \$7, in lieu of  
25 subsistence for officers of the Army, Navy, and Marine



1 *Corps, and of the reserve components thereof, traveling on*  
2 *official business and away from their designated posts of*  
3 *duty, pursuant to the first paragraph of section 12 of the Act*  
4 *approved June 16, 1942 (37 U. S. C. 112), is hereby*  
5 *authorized to prescribe such per diem rates of allowance,*  
6 *whether or not orders are given to such officers for travel to*  
7 *be performed repeatedly between two or more places in the*  
8 *same vicinity, and without regard to the length of time away*  
9 *from their designated posts of duty under such orders.*

## 10 DEPARTMENT OF THE INTERIOR

### 11 WAR RELOCATION AUTHORITY

12 Salaries and expenses: For all necessary expenses of  
13 the War Relocation Authority, \$39,000,000, including ex-  
14 penses incident to the extension of the program provided  
15 for in Executive Order 9102 to persons of Japanese ances-  
16 try not evacuated from military areas; salary of the Director  
17 at not to exceed \$10,000 per annum; employment of  
18 aliens; traveling expenses, not to exceed \$375,000; print-  
19 ing and binding, not to exceed \$28,000; procurement, with-  
20 out regard to section 3709, Revised Statutes, of supplies  
21 and equipment (with or without personal services); pur-  
22 chase for replacement (not to exceed \$50,000) of passenger-  
23 carrying automobiles; the leasing to others of land acquired  
24 for the program; purchase of uniforms for internal security  
25 officers; transfer of household goods and effects as provided

1 by the Act of October 10, 1940, including travel expenses,  
2 of employees transferred from other Federal agencies to  
3 the Authority at its request; not to exceed \$10,000 for pay-  
4 ment to States or political subdivisions thereof, or other  
5 local public taxing units, of sums in lieu of taxes against  
6 real property acquired by the Authority for the purposes  
7 hereof; for payments for the performance of governmental  
8 services required in connection with the administration of  
9 the program; the disposal, by public or private sale, of  
10 goods or commodities produced or manufactured in the  
11 performance of activities hereunder, the proceeds of which  
12 shall be deposited in a special fund which shall remain  
13 available until June 30, 1945, for the purposes here-  
14 of: *Provided*, That the provisions of the Act of Feb-  
15 ruary 15, 1934 (48 Stat. 351), as amended, relating to  
16 disability or death compensation and benefits, shall apply to  
17 persons receiving from the United States compensation in  
18 the form of subsistence, cash advances, or other allowances  
19 in accordance with regulations prescribed by the Director of  
20 the War Relocation Authority for work performed in con-  
21 nection with such program, including work performed in the  
22 War Relocation Work Corps: *Provided further*, That this  
23 provision shall not apply in any case coming within the  
24 purview of the workmen's compensation laws of any State,  
25 Territory, or possession, or in which the claimant has re-



1 ceived or is entitled to receive similar benefits for injury  
2 or death: *Provided further*, That the Secretary of the In-  
3 terior may delegate to any official in the War Relocation  
4 Authority the authority to make appointments of personnel  
5 and he may also delegate to any official in the War Reloca-  
6 tion Authority the authority to make other determinations  
7 necessary for the conduct of administrative management  
8 within the Authority: *And provided further*, That the limi-  
9 tation placed on the amount available for travel expenses  
10 for the War Relocation Authority shall not apply to travel  
11 of evacuees and their escorts incident to transfers and relo-  
12 cation.

## 13 TITLE II—GENERAL PROVISIONS

14 SEC. 201. The appropriations in this Act for salaries and  
15 expenses shall be available, in addition to the objects specified  
16 under each head, and without regard to section 3709, Revised  
17 Statutes (except as otherwise specified herein), for personal  
18 services in the District of Columbia and elsewhere; contract  
19 stenographic reporting services; lawbooks, books of reference,  
20 newspapers and periodicals; maintenance, operation, and re-  
21 pair of motor-propelled passenger-carrying vehicles; accept-  
22 ance and utilization of voluntary and uncompensated services;  
23 and traveling expenses, including expenses of attendance at  
24 meetings of organizations concerned with the work of the  
25 agency from whose appropriation such expenses are paid, and

1 actual transportation and other necessary expenses, and not to  
2 exceed \$10 (unless otherwise specified) per diem in lieu of  
3 subsistence, of persons serving while away from their perma-  
4 nent homes or regular places of business in an advisory  
5 capacity to or employed by any of such agencies without  
6 other compensation from the United States, or at \$1 per  
7 annum, and including (upon authorization or approval of  
8 the head of any of such agencies) travel expenses to and  
9 from their homes or regular places of business in accordance  
10 with the Standardized Government Travel Regulations, in-  
11 cluding travel in privately owned automobile (and including  
12 per diem in lieu of subsistence at place of employment),  
13 of persons employed intermittently away from their homes  
14 or regular places of business as consultants and receiving  
15 compensation on a per diem when actually employed basis.

16 SEC. 202. Whenever sums are set apart from the appro-  
17 priations in this Act for special projects (classified in the  
18 estimates submitted to Congress as or under "Other con-  
19 tractual services") expenditures may be made therefrom for  
20 traveling expenses, printing and binding, and purchase of  
21 motor-propelled passenger-carrying vehicles without regard  
22 to the limitations specified for such objects under the respec-  
23 tive heads, but within such amounts as the Director of the  
24 Bureau of the Budget may approve therefor and such Direc-  
25 tor shall report to Congress each such limitation determined



1 by him: *Provided*, That such limitations shall not apply  
2 where the special projects are performed by non-Government  
3 agencies.

4 SEC. 203. With the prior approval of the Bureau of the  
5 Budget and under authority of section 601 of the Act of June  
6 30, 1932, as amended (31 U. S. C. 686), orders for work  
7 or services to be performed by other agencies of the Govern-  
8 ment may be placed by any of the agencies whose appropria-  
9 tions are contained in this Act, but no agency shall perform  
10 work or render services with or without reimbursement (in-  
11 cluding the detail or loan of personnel) for any of the agen-  
12 cies whose appropriations are contained in this Act except in  
13 pursuance of orders so approved or under specific authority  
14 of other law. This provision shall not apply to the Office  
15 of Strategic Services.

16 SEC. 204. The foregoing sections 201, 202, and 203  
17 shall have no application to appropriations for the War  
18 Shipping Administration.

19 SEC. 205. For the purposes of section 303 of the First  
20 Supplemental National Defense Appropriation Act, 1944,  
21 and any similar general provisions for the fiscal year 1945,  
22 persons serving the Government at \$1 per annum shall be  
23 considered as serving without compensation.

24 SEC. 206. No part of any appropriation contained in  
25 this Act shall be used to pay the salary or wages of

1 any person who advocates, or who is a member of an  
2 organization that advocates, the overthrow of the Government  
3 of the United States by force or violence: *Provided*, That for  
4 the purposes hereof an affidavit shall be considered prima  
5 facie evidence that the person making the affidavit does not  
6 advocate, and is not a member of an organization that  
7 advocates, the overthrow of the Government of the United  
8 States by force or violence: *Provided further*, That any  
9 person who advocates, or who is a member of an organiza-  
10 tion that advocates, the overthrow of the Government of  
11 the United States by force or violence and accepts employ-  
12 ment the salary or wages for which are paid from any  
13 appropriation contained in this Act shall be guilty of a felony  
14 and, upon conviction, shall be fined not more than \$1,000  
15 or imprisoned for not more than one year, or both: *Provided*  
16 *further*, That the above penalty clause shall be in addition  
17 to, and not in substitution for, any other provisions of existing  
18 law.

19 SEC. 207. If at any time during the fiscal year 1945  
20 the termination of the Act entitled "An Act to provide tem-  
21 porary additional compensation for employees in the Postal  
22 Service", approved April 9, 1943, or of the Act entitled  
23 "An Act to provide for the payment of overtime compensa-  
24 tion to Government employees, and for other purposes",  
25 approved May 7, 1943, shall be fixed by concurrent resolu-



1 tion of the Congress at a date earlier than June 30, 1945,  
2 the appropriations contained in this Act shall cease to be  
3 available on such earlier date for obligation for the purposes  
4 of the terminated Act and the unobligated portions of ap-  
5 propriations allocated for the purposes of such terminated  
6 Act shall not be obligated for any other purposes of the  
7 appropriation during the fiscal year 1945.

8 SEC. 208. This Act may be cited as the "National War  
9 Agency Appropriation Act, 1945".

Passed the House of Representatives May 26, 1944.

Attest:

SOUTH TRIMBLE,

*Clerk.*

Passed the Senate with amendments June 20 (legisla-  
tive day, May 9), 1944.

Attest:

EDWIN A. HALSEY,

*Secretary.*

78TH CONGRESS  
2d Session

H. R. 4879

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## AN ACT

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Making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 1944

Ordered to be printed with the amendments of the  
Senate numbered



## Changes in mortality, 1900-40

	Death rate per 100,000		Percent reduction	Actual deaths, 1940	Deaths which would have occurred in 1940 at 1900 rates	Number of lives saved per year
	1900	1940				
Typhoid and paratyphoid fevers.....	35.9	1.1	97	1,443	47,173	45,736
Diphtheria.....	43.3	1.1	97	1,467	56,896	55,439
Diarrhea and enteritis.....	133.2	10.3	92	13,573	175,025	161,452
Measles, scarlet fever, and whooping cough.....	34.8	3.2	91	4,300	45,727	41,427
Tuberculosis.....	201.2	45.9	77	60,428	264,377	203,949
Pneumonia and influenza.....	180.5	70.3	61	92,525	237,177	144,652
All other causes.....	1,126.1	944.5	16	1,243,543	1,479,695	236,152

In this table are shown the actual results accomplished between 1900 and 1940 in the reduction of mortality from the five causes of death with which the organized health forces of the community have been concerned, and also the corresponding reduction in pneumonia and influenza, where responsibility has been shared between the public-health officer and the private physician. The last line of the table includes the changes in mortality from all other causes taken together. Many of these have also come within the scope of the public-health program.

It will be noted that typhoid fever and diphtheria mortality rates have been reduced by 97 percent. The results accomplished in the case of typhoid fever have been due to the work of the engineer, to purification of the public water supplies, improvement in sanitary conditions, and to epidemiological control and immunization programs, conducted by health officers. In the case of diphtheria, administrative control, and the use of antitoxin and later toxoid, are responsible for the accomplishment. The basic discoveries in these fields were made by men like W. H. Park working in public-health laboratories, and introduced by health officers like Hermann M. Biggs, often in face of vigorous opposition from the practitioner.

Diarrhea and enteritis of infants have been reduced by 92 percent through the pasteurization of milk supplies, under the leadership of public-health authorities, and through the establishment by boards of health and visiting-nurse associations of well-baby clinics for the instruction of mothers. Here again the initiative came primarily from the organized health forces representing the public interest.

The group of infectious diseases of childhood, measles, scarlet fever, and whooping cough, have shown a 91-percent reduction in mortality, due in large part to vigorous and energetic epidemiological control on the part of public-health authorities. Tuberculosis, which has been cut down by 77 percent, represents the result of a program carried on in nearly all its phases through the leadership of public-health departments, public-health clinics, and publicly maintained sanatoria. Here again, it should be recalled that the introduction of the first program for the reporting of tuberculosis was strenuously opposed by the medical profession.

In the case of pneumonia and influenza the practicing physician deserves a lion's share of the credit. Even here, however, it should be pointed out that the basic discoveries in regard to serum treatment and the use of sulfa drugs were made by salaried physicians in the employ of public-health laboratories and foundations and universities, rather than by private practitioners.

It seems certain that the organized public-health profession rather than the private medical practitioner is responsible for a major part of the gains which have been made during the past 40 years.

It is no doubt true that the "Other causes" of death listed in the last line of the table

are much more difficult to control than those which the Public Health Administrator has so successfully attacked; but it may be hoped that a sound system of prepayment which will make good medical care available to the lower economic half of the population, now woefully lacking in such services, would produce notable results in the reduction of many other causes of death than those which have so far been successfully attacked.

#### AGRICULTURAL EXTENSION SERVICE—ADDRESS BY HON. JAMES F. BYRNES

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an address by Hon. James F. Byrnes, Director of War Mobilization, at a luncheon meeting June 19, at the Department of Agriculture, of Extension Service workers who have been with the Service for a period of 10 years or more, which appears in the Appendix.]

#### ADMITTANCE OF EUROPEAN REFUGEES—ARTICLE BY WESTBROOK PEGLER

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an article entitled "Westbrook Pegler Remarks: 'Roosevelt's "Thousand Refugees" Mere Sample,"' which appears in the Appendix.]

#### THE BONDS BETWEEN THE UNITED STATES AND THE UNITED KINGDOM—ADDRESS BY M. E. BATHURST

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address on the subject of the bonds between the United States and the United Kingdom, delivered by Mr. M. E. Bathurst, legal adviser to the British Embassy, before Kappa Beta Pi, Women's International League Honor Sorority, on June 17, 1944, at Washington, D. C., which appears in the Appendix.]

#### INTERNATIONAL LAW—ADDRESS BY H. S. HALLO

[Mr. GEORGE asked and obtained leave to have printed in the RECORD an address by H. S. Hallo, first secretary of the Netherlands Embassy, delivered before Kappa Beta Pi, Women's International League Honor Sorority, which appears in the Appendix.]

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Georgia [Mr. RUSSELL] to strike out lines 3 to 16, inclusive, on page 10, as amended. The Senator from Mississippi [Mr. BILBO] has the floor.

Mr. BILBO. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Radcliffe
Ball	Guffey	Reed
Bankhead	Gurney	Revercomb
Barkley	Hatch	Robertson
Bilbo	Hill	Russell
Brewster	Holman	Shipstead
Burton	Johnson, Calif.	Stewart
Bushfield	Johnson, Colo.	Taft
Butler	Kilgore	Thomas, Okla.
Byrd	Lucas	Thomas, Utah
Capper	McClellan	Tunnell
Chavez	McFarland	Tydings
Connally	McKellar	Vandenberg
Cordon	Maloney	Wagner
Danaher	Maybank	Wallgren
Davis	Mead	Walsh, Mass.
Eastland	Millikin	Walsh, N. J.
Ellender	Murdock	Weeks
Ferguson	Murray	Wheeler
George	O'Mahoney	Wherry
Gerry	Overton	White
Gillette	Pepper	Willis

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senator from South Carolina [Mr. SMITH], and the Senator from Missouri [Mr. TRUMAN] are detained on public business.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

The Senator from North Carolina [Mr. BAILEY], the Senator from Texas [Mr. O'DANIEL], and the Senator from North Carolina [Mr. REYNOLDS] are necessarily absent.

Mr. WHERRY. The Senator from Vermont [Mr. AUSTIN], the Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from North Dakota [Mr. LANGER], the Senator from North Dakota [Mr. NYE], the Senator from Idaho [Mr. THOMAS], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Wisconsin [Mr. WILEY] is absent attending the wedding of his daughter.

The ACTING PRESIDENT pro tempore. Sixty-six Senators have answered to their names. A quorum is present.

Mr. RUSSELL. Mr. President—

The ACTING PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. BILBO. I yield.

Mr. RUSSELL. I appreciate the courtesy of the Senator from Mississippi in yielding to me while the junior Senator from New York [Mr. MEAD] is on the floor.

Yesterday, in the course of the remarks of the Senator from New York, he in-



served in the RECORD a great deal of written material. A few minutes ago I happened to read some of this material inserted in the RECORD by the Senator during his address. In this matter the Senator took occasion to reflect upon my sincerity and my integrity. He did not make the statement openly on the floor—I was present and listened to his remarks—but he reserved it for the matter which he inserted in the RECORD and which was not read or discussed publicly.

Mr. MEAD. Mr. President—

Mr. RUSSELL. I wish now to read from page 6244 of the RECORD.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi has the floor.

Mr. MEAD. May I ask for the page number again?

Mr. RUSSELL. Yes; I shall read now. It is page 6244. In a long and rather elaborate brief on the constitutionality of the creation of the agency which is under discussion the Senator made this statement:

This entire constitutional argument is a smoke screen to hide the real issue. The real issue is the race issue, as all of us know. For, if the Senator from Georgia is so perturbed about Executive order agencies, why has he kept silent about other agencies similarly created?

And on page 6245 I read the following sentence:

This demonstrates the insincerity of the so-called constitutional opposition to the F. E. P. C.

I shall not, Mr. President, discuss the ethics of the action of a Member of this body in referring in such terms to another Member of the body by insertion in the RECORD rather than a statement on the floor. The decency of such procedure must be decided by each Member for himself.

Mr. MEAD. Mr. President, will my colleague yield?

Mr. RUSSELL. Yes.

Mr. MEAD. Mr. President, not being a lawyer—

Mr. RUSSELL. I wish the Senator would let me proceed for a few minutes. I do not wish to become involved in a legal discussion.

Mr. MEAD. I do not think it will be necessary for us to proceed with this discussion if the Senator will allow me the privilege of explaining just how that matter got into the RECORD and also give me the opportunity to withdraw it.

Mr. RUSSELL. Mr. President, the Senator from New York was asked on the floor yesterday who prepared that statement, and he stated that he prepared it himself.

Mr. MEAD. I said it was compiled at my instance, from hearings, debates, and discussions upon this subject, and I am sure the Senator from Georgia will agree with me that if he finds anything objectionable, and I do now from the very slight—

Mr. RUSSELL. It is not only objectionable to me, but I assert that it is absolutely untrue and without any basis in fact, and I shall proceed to show that the accusation is absolutely false.

Mr. MEAD. I assure the Senator that it is absolutely agreeable to me to have

it removed from the permanent RECORD.

Mr. RUSSELL. I shall proceed because the Senator was asked yesterday to give the author of the memorandum, and he made this statement:

This is my own statement.

That was the Senator's statement on the floor yesterday, that it was his own statement.

Mr. MEAD. In further explanation I want to say to my distinguished colleague, whom I never meant in the slightest to injure in any way, that I had a complete review of all the RECORD debates and discussions made, and of course in doing so one should take out a large number of words and a large amount of data that have been compiled, and I must agree that I did not go over it all very carefully, or would never have left anything in the RECORD that would have disturbed my colleague, and I assure him that I shall take it out of the permanent RECORD.

Mr. RUSSELL. I do not care what the Senator does about taking it out of the permanent RECORD. I intend to show for the permanent RECORD that the statement is absolutely without foundation in fact.

Mr. MEAD. I join my colleague in saying that. It was not my intention to say anything to disturb my colleague.

Mr. RUSSELL. It is not a question of the Senator's colleague being disturbed. It is a question of the fact. I shall undertake to show that I have been interested in bringing many Executive agencies under the control of the Congress. It is not any new movement with me, and this statement which the Senator vouched for yesterday is absolutely without any foundation in fact.

Mr. MEAD. I assume the responsibility for it, Mr. President, because I ordered a compilation of everything available on this question since it arose, and I put it all together, and I am sorry that I did not read it over more carefully. But I want to assure the Senator that so far as I am concerned, I shall take the whole speech out if it hurts him in the slightest. I can see where that reference does him an injustice, and I want to assure him that it will come out of the permanent RECORD at any instigation.

Mr. RUSSELL. The statement does not hurt me, because it is not true. I shall try to place facts in the RECORD. The RECORD of the Congress and of the Committee on Appropriations for some years will show that this is no new movement on my part to combat agencies that have been created by Executive order.

Mr. MEAD. I realize that, and I want to assure the Senator now that he has my fullest cooperation in the revision of anything in that statement that in any way does him an injustice. I will go as far as I possibly can to right any wrong that he may decide has been caused by that statement.

Mr. RUSSELL. I have not asked and I shall not ask that anything that the Senator has incorporated in the RECORD be revised or withdrawn. I merely wish to point out, Mr. President—

Mr. MEAD. Mr. President—

The ACTING PRESIDENT pro tempore. Does the Senator from Mississippi yield further, and if so, to whom?

Mr. BILBO. I yield, Mr. President, until the Senators settle the question.

Mr. RUSSELL. Mr. President, the question of congressional control over executive agencies is not a new one. This is not the first time it has arisen in the Senate. I have before me the journal and the permanent records of the Senate Committee on Appropriations, which I have just sent for. At the meeting of the Committee on Appropriations which was held on May 26, 1943, the following appears from the permanent journal of the Senate Committee on Appropriations:

Emergency fund for the President: Senator McKellar called attention to the proviso under this item. Senator RUSSELL moved that the proviso be deleted, and that there be inserted in lieu thereof a new proviso. The language deleted and inserted on the adopted of Senator RUSSELL's motion is as follows:

Then follows the language deleted as follows:

*Provided*, That no part of the funds continued available by this paragraph shall be allotted to or expended for the National Resources Planning Board or the Farm Security Administration, or for any of the functions of either said Board or said Administration.

The language inserted is as follows:

*Provided*, That no part of the funds continued available by this paragraph shall be allotted to or expended for any of the functions of any agency of Government for which appropriations have been duly made by the Congress, or for the functions of any agency for which estimates have been submitted by the Budget and for which Congress has failed to make appropriations: *Provided further*, That this limitation shall not apply to allotments or allocations made to the War Department or the Navy Department.

I might recite some of the history of that amendment. It had appeared in the hearings before the committee that Budget estimates had been submitted for the operation of an agency of government that had been created by Executive order. Congress had refused to appropriate for the maintenance of that agency. The agency had been continued in existence by the allocation of moneys from the President's emergency fund, and that fund was the subject of consideration in the Committee on Appropriations. It had seemed to me, Mr. President, that it was in violation of the fundamental rights of the Congress to undertake to carry on an agency with funds appropriated for emergency purposes when the Congress had refused to appropriate after request had been duly submitted for funds for the support of such an agency. That amendment was somewhat altered, but in final form it prevented the allocation of funds for any function or project. I may read, so as to make the record complete, the amendment as it came from the conference and was enacted into law.

That no part of such fund shall be available after June 30, 1943, for allocation to finance a function or project for which function or project a Budget estimate of appropriation was transmitted pursuant to law during the Seventy-eighth Congress and



such appropriation denied after consideration thereof by the Senate and House of Representatives or by the Committees on Appropriations of both bodies.

Mr. President, that was the language of the final enactment of the deficiency bill which was passed by Congress in 1943 and approved by the President. The amendment was considered before the issuance of the last Executive order of the President creating the Fair Employment Practice Committee.

Mr. President, the record of the Congress for this year shows that I was the author of an amendment to the independent offices appropriation bill which sought to go further in curtailing the action of the executive department in assuming functions which I regard as belonging to and being inherent in the right of the legislative body. This bill was reported by the committee in March of this year. I shall not read all of the proceedings in the committee, but I shall ask to have inserted in the RECORD section 213 of the independent offices appropriation bill, an amendment which related not only to the F. E. P. C. but to any number of executive agencies of Government. This amendment prohibited the transfer of any funds by the Executive for the maintenance of any agency created by Executive order which had been in existence for more than 1 year and for which the Congress had never made appropriations or had not specifically approved by legislative action. That amendment was the subject of some debate. It was finally approved by the Senate. It was approved by the House, and is in the independent offices appropriation bill which has gone to the President.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

SEC. 213. After January 1, 1945, no part of any appropriation or fund made available by this or any other act shall be allotted or made available to, or used to pay the expenses of, any agency or instrumentality including those established by Executive order after such agency or instrumentality has been in existence for more than 1 year, if the Congress has not appropriated any money specifically for such agency or instrumentality or specifically authorized the expenditure of funds by it. For the purposes of this section, any agency or instrumentality including those established by Executive order shall be deemed to have been in existence during the existence of any other agency or instrumentality, established by a prior Executive order, if the principal functions of both of such agencies or instrumentalities are substantially the same or similar. When any agency or instrumentality is or has been prevented from using appropriations by reason of this section, no part of any appropriation or fund made available by this or any other act shall be used to pay the expenses of the performance by any other agency or instrumentality of functions which are substantially the same as or similar to the principal functions of the agency or instrumentality so prevented from using appropriations, unless the Congress has specifically authorized the expenditure of funds for performing such functions.

Mr. RUSSELL. Mr. President, no Member of the Congress has been more diligent in his attempt to assert the right of the Congress to legislate in creating

agencies than has the Senator from Georgia.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter from the Comptroller General of the United States to a Member of the House of Representatives listing 40 or 50 executive agencies which the Comptroller General says may be affected by this amendment to the independent offices appropriation bill, of which amendment I was the author.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL OF  
THE UNITED STATES,  
Washington, May 31, 1944.

HON. JAMES M. FITZPATRICK,  
House of Representatives.

MY DEAR MR. FITZPATRICK: Reference is made to your informal request for the following information:

1. A list of the Government agencies operating at present under Presidential Executive order.

2. A list of the Government agencies operating on funds set aside by the President—such as the Committee on Fair Employment Practice.

It is understood that this information is desired in connection with consideration of the possible effect of Senate amendment No. 68 to the independent offices appropriation bill, 1945, H. R. 4070. Said amendment, in the bill as passed by the Senate, is as follows:

"SEC. 213. After July 1, 1944, no part of any appropriation or fund made available by this or any other act shall be allotted or made available to, or used to pay the expenses of, any agency or instrumentality including those established by Executive order after such agency or instrumentality has been in existence for more than 1 year, if the Congress has not appropriated any money specifically for such agency or instrumentality or specifically authorized the expenditure of funds by it. For the purposes of this section, any agency or instrumentality including those established by Executive order shall be deemed to have been in existence during the existence of any other agency or instrumentality, established by a prior Executive order, if the principal functions of both of such agencies or instrumentalities are substantially the same or similar. When any agency or instrumentality is or has been prevented from using appropriations by reason of this section, no part of any appropriation or fund made available by this or any other act shall be used to pay the expenses of the performance by any other agency or instrumentality of functions which are substantially the same as or similar to the principal functions of the agency or instrumentality so prevented from using appropriations, unless the Congress has specifically authorized the expenditure of funds for performing such functions."

I have been unable, in the time available for the compilation of the information you desire, to have an exhaustive search made. However, there appears in the Senate hearings on the bill referred to above, H. R. 4070, commencing on page 509, a letter dated February 28, 1944, from the Bureau of the Budget, furnishing, in response to a request of Senator RUSSELL, information as to agencies established by Executive order or in any other manner than by specific legislation, and as to the method by which the expenses of those agencies were financed. The two lists which follow were obtained from that source, to which reference may be made for further details. Said letter included data

with respect to a considerable number of agencies originally established by Executive order, but now financed mainly by direct appropriation. In view of the purpose of your inquiry, and of the fact that these agencies are operating at this time not only under Presidential authority, but pursuant to specific annual appropriations, such agencies are not included in the lists below.

The following list shows those Government agencies operating at present under Executive orders or letters of the President, or pursuant to direction or approval of the President:

Agencies in the Executive Office of the President: Committee for Congested Production Areas; Liaison Office for Personnel Management; agencies in the Office for Emergency Management; Board of War Communications, Committee on Fair Employment Practice, Foreign Economic Administration (some constituent agencies), Office of Alien Property Custodian; agencies in the Office of War Mobilization: Retraining and Reemployment Administration, Surplus War Property Administration.

American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas.

Committee to Investigate Racial Discriminations in Certain Fields of Railroad Employment.

Federal Interdepartmental Safety Council.

Federal Real Estate Board.

Agency in Federal Works Agency: Federal Fire Council.

Interdepartmental Committee to Consider Cases of Subversive Activities on the Part of Federal Employees.

Interdepartmental War Savings Bond Committee.

President's Committee for Education of Men Demobilized From the Armed Forces.

President's War Relief Control Board.

War Refugee Board.

Agency under Department of Commerce: National Patent Planning Commission.

Agencies under Department of the Interior: Coal Mines Administration, Puerto Rico Legislative Committee.

Agency under Department of Labor: Wage Adjustment Board.

The following list shows those Government agencies operating on funds allocated by the President:

Liaison Office for Personnel Management. Committee for Congested Production Areas. Committee on Fair Employment Practice. Foreign Economic Administration (some constituent agencies).

American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas.

Committee to Investigate Racial Discriminations in Certain Fields of Railroad Employment.

President's Committee for Education of Men Demobilized From the Armed Forces.

President's War Relief Control Board.

War Refugee Board.

Coal Mines Administration.

Puerto Rico Legislative Committee.

Wage Adjustment Board (in part).

Of these agencies, now financed by funds allocated by the President, appropriations for the following are included in pending bills:

Committee on Fair Employment Practice (National War Agency appropriation bill, 1945, H. R. 4879).

President's War Relief Control Board (State Department appropriation bill, 1945, H. R. 4204).

In addition, estimates for appropriations for the following agencies have been submitted to the Congress:

Committee for Congested Production Areas (H. Doc. No. 488).



American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas (H. Doc. No. 568).

Foreign Economic Administration (H. Doc. No. 566).

While the full effect of the amendment in question may not be determined definitely from the facts now of record in this office, the following corporations, as instrumentalities of the Government, might be affected in some manner by the provision as passed by the Senate:

American President Lines, Ltd.  
Cargoes, Inc.  
Colonial Mica Corporation.  
Defense Homes Corporation.  
Federal National Mortgage Association.  
Federal Subsistence Homesteads Corporation.  
Panama Railroad Company.  
Puerto Rico Cement Corporation.  
Tennessee Valley Associated Cooperatives, Inc.  
United States Spruce Production Corporation.  
War Emergency Pipelines, Inc.  
War Hemp Industries, Inc.  
War Materials, Inc.  
Warrior River Terminal Company.  
Defense Supplies Corporation.  
Metals Reserve Company.  
Petroleum Reserves Corporation.  
Rubber Development Corporation.  
Rubber Reserve Company.  
United States Commercial Company.  
Institute of Inter-American Affairs.  
Institute of Inter-American Transportation.

Inter-American Educational Foundation, Inc.

Inter-American Navigation Corporation.  
Prencinradio.

I trust that the foregoing will serve the purpose of your inquiry.

Sincerely yours,

LINDSAY C. WARREN,  
*Comptroller General of the United States.*

Mr. RUSSELL. Mr. President, not only is the charge which has been made unfair and untrue, but it is directly controverted by the records of the Congress. I have only this to say: If all the matter which was inserted at such great length by the Senator from New York has no more basis in fact than the charge printed in the *RECORD*, but not stated on the floor, which questions my sincerity in attempting to recapture all the powers of Congress which may have been assumed by the other coordinate branches of this Government, it is not worthy of the Senator. Neither is it worth while for any person to read or credit.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. MEAD. I have noted the brief references to my distinguished colleague, the junior Senator from Georgia, and I am taking them out of the permanent *RECORD*. I agree that in the past he has indicated an opposition to agencies of this character, and I wish to say so publicly in the Senate.

I also wish to have it understood that I gathered together all the information I could bearing upon the constitutional question, and because I did not wish to take the time of the Senate, I, therefore, asked the Senate to allow me to have it made a part of the *RECORD*. In the hurry of last evening I did not read it all over as carefully as I might have done. I assure the Senator that I am interested

now only in a vote on this question and in making sure that there is nothing in the *RECORD* which would be in the slightest degree objectionable to the Senator, because I do not believe such a charge is warranted, and I wish to be as fair as I possibly can under the circumstances. It is only just that I should treat my colleague fairly.

Mr. RUSSELL. Mr. President, I appreciate the desire of the Senator from New York to be fair. I assumed, on reading this matter, which I saw only about 30 or 40 minutes ago, that the Senator from New York had not prepared the brief. It presents a very able constitutional argument for this unconstitutional—from my viewpoint—agency. Certainly the man who prepared it exhausted every recourse in an attempt to find some scintilla of authority for it. But when the Senator from New York stated, in response to a question from the Senator from Mississippi, that the remarks were his own, I could only assume that the Senator had deliberately stated in the *RECORD* something that was not based on fact.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 1157) to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of providing such training of State and Territorial military forces as is deemed necessary to enable them to execute their internal security responsibilities within their respective States and Territories.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1232. An act to provide equitable compensation for useful suggestions or inventions by personnel of the Department of the Interior;

S. 1634. An act to provide for the management and operation of naval plantations outside the continental United States; and

S. 1669. An act to clarify the law relative to allowances for mileage of graduates of the United States Military Academy and transportation of their dependents on assignment to their first duty station and to the mileage allowance of persons entering the United States Military Academy as cadets.

The message further announced that the House had passed the following joint resolutions of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. J. Res. 93. Joint resolution declaring the policy of the Congress with respect to the independence of the Philippine Islands, and for other purposes; and

S. J. Res. 94. Joint resolution establishing the Filipino Rehabilitation Commission, defining its powers and duties, and for other purposes.

The message also announced that the House had passed the bill (S. 1432) to extend the Civilian Pilot Training Act of 1939, with an amendment; that the House insisted upon its amendment, asked a conference with the Senate on the disagreeing votes of the two Houses

thereon, and that Mr. BULWINKLE, Mr. LEA, Mr. BECKWORTH, Mr. WOLVERTON of New Jersey, and Mr. HOLMES were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the bill (S. 1718) to provide for the settlement of claims arising from terminated war contracts, and for other purposes, with an amendment; that the House insisted upon its amendment, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SUMNERS of Texas, Mr. WALTER, Mr. KEFAUVER, Mr. HANCOCK, and Mr. GWYNNE were appointed managers on the part of the House at the conference.

The message also announced that the House still further insisted upon its disagreement to the amendment of the Senate numbered 10 to the bill (H. R. 4204) making appropriations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes; agreed to the still further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RABAUT, Mr. KERR, Mr. HARE, Mr. O'BRIEN of Illinois, Mr. CARTER, Mr. STEFAN, and Mr. JONES were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 1475. An act to amend further the Civil Service Retirement Act approved May 29, 1930, as amended; and

H. R. 3891. An act to provide night differential for certain employees.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4320) relating to the computation of interest on contributions to the civil-service retirement fund returned to employees upon their separation from the service.

The message further announced that the House had agreed to the amendment of the Senate No. 2 to the bill (H. R. 4292) to amend section 12 (b) of the act of May 29, 1930, as amended, and that the House had agreed to the amendment of the Senate No. 1 to the bill and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2654. An act to authorize the Secretary of the Interior to adjust debts of individual Indians, associations of Indians, or Indian tribes, and for other purposes;

H. R. 2969. An act to establish official checking accounts with the Treasurer of the United States for clerks of United States courts and United States marshals;

H. R. 3345. An act to authorize the leasing of Indian lands for business, and for other purposes;

H. R. 4405. An act to amend the act approved March 7, 1942 (56 Stat. 143), as amended (56 Stat. 1092; 50 App. U. S. C., Supp. III, 1001-1017, inclusive), so as to more specifically provide for pay, allotments, and administration pertaining to war casualties, and for other purposes;



H. R. 4615. An act to establish, for the investigation and control of tuberculosis, a division in the Public Health Service, and for other purposes;

H. R. 4625. An act to extend the existence of the Alaskan International Highway Commission for an additional 4 years;

H. R. 4728. An act to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended;

H. R. 4780. An act to fix the fees for domestic-insured and collect-on-delivery mail, special-delivery service, and for other purposes;

H. R. 4935. An act to provide for a study of multiple taxation of air commerce, and for other purposes;

H. R. 4949. An act to amend the Second War Powers Act, 1942;

H. R. 4991. An act to remove restrictions on transfers of small craft to other American republics in furtherance of the war effort;

H. R. 4999. An act to increase the service-connected disability rates of pension for certain Regular Establishment veterans and veterans of wars prior to World War No. 1; and

H. R. 5025. An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War No. 2.

#### HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 2654. An act to authorize the Secretary of the Interior to adjust debts of individual Indians, associations of Indians, or Indian tribes, and for other purposes; and

H. R. 3345. An act to authorize the leasing of Indian lands for business, and other purposes; to the Committee on Indian Affairs.

H. R. 2969. An act to establish official checking accounts with the Treasurer of the United States for clerks of United States courts and United States marshals; to the Committee on Expenditures in the Executive Departments.

H. R. 4405. An act to amend the act approved March 7, 1942 (56 Stat. 153), as amended (56 Stat. 1092; 50 App. U. S. C., Supp. III, 1001-1017, inclusive), so as to more specifically provide for pay, allotments, and administration pertaining to war casualties, and for other purposes; and

H. R. 4991. An act to remove restrictions on transfers of small craft to other American republics in furtherance of the war effort; to the Committee on Naval Affairs.

H. R. 4615. An act to establish, for the investigation and control of tuberculosis, a division in the Public Health Service, and for other purposes; and

H. R. 4728. An act to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended; to the Committee on Education and Labor.

H. R. 4625. An act to extend the existence of the Alaskan International Highway Commission for an additional 4 years; to the Committee on Foreign Relations.

H. R. 4780. An act to fix the fees for domestic insured and collect-on-delivery mail, special-delivery service, and for other purposes; and

H. R. 4949. An act to amend the Second War Powers Act, 1942; to the Committee on Post Offices and Post Roads.

H. R. 4935. An act to provide for a study of multiple taxation of air commerce, and for other purposes; to the Committee on Commerce.

H. R. 4999. An act to increase the service-connected disability rates of pension for certain Regular Establishment veterans and

veterans of wars prior to World War No. 1; to the Committee on Pensions.

H. R. 5025. An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War No. 2; to the Committee on Public Lands and Surveys.

#### CLAIMS ARISING FROM TERMINATION OF WAR CONTRACTS

Mr. MURRAY. Mr. President, a message has just been received from the House, relating to Senate bill 1718, the war contract termination bill. The House has requested a conference. I should like to have the message laid before the Senate at this time, because the conferees on the part of the House are here in the corridor, waiting to hold a conference on the bill.

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives insisting on its amendment to the bill (S. 1718) to provide for the settlement of claims arising from terminated war contracts, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MURRAY. I move that the Senate disagree to the amendment of the House, agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Acting President pro tempore appointed Mr. MURRAY, Mr. JOHNSON of Colorado, Mr. WALLGREN, Mr. GURNEY, and Mr. REVERCOMB conferees on the part of the Senate.

#### EXTENSION OF CIVILIAN PILOT TRAINING ACT

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives insisting upon its amendment to the bill (S. 1432) to extend the Civilian Pilot Training Act of 1939, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. RADCLIFFE. Mr. President, I move that the Senate disagree to the amendment of the House, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. RADCLIFFE, Mr. MEAD, and Mr. BREWSTER conferees on the part of the Senate.

#### INDEPENDENCE OF THE PHILIPPINE ISLANDS

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 93) declaring the policy of the Congress with respect to the independence of the Philippine Islands, and for other purposes, which were, on page 4, line 2, to strike out "full and", and on page 4, line 6, after "authorized", to insert "after proclaim-

ing that constitutional processes and normal function of government have been restored in the Philippine Islands and."

Mr. TYDINGS. Mr. President, I should like to say that the joint resolution which has for its purpose the possible acceleration of the date of ultimate Philippine independence is one of the measures which we have just considered, to which the House made minor amendments. At the time the joint resolution was introduced in the Senate by me it was as a result of a conference with various members of the President's Cabinet, members of the Army and Navy, and members of the Filipino Cabinet, in which the President of the Philippines, President Manuel Quezon, took a leading part, as did the Vice President, Mr. Osmena.

However, in order that, so far as the joint resolution is concerned, there may be no misunderstanding of it, its intention was not to postpone, in the face of any contingency, the date for independence as set forth in the Tydings-McDuffie Act, but only if circumstances permitted it to come before that ultimate date this joint resolution would be effective insofar as that feature of the act is concerned.

In order that my own position in that respect may be clear, let me quote just one paragraph from a letter I wrote to President Manuel Quezon attempting to clarify what I thought was the situation. It is as follows:

DELEGATE ELIZALDE also spoke to me in reference to Senate Joint Resolution 93, which I personally feel should be passed by the House. I have been informed of your misgivings concerning this legislation, but I can assure you that it is my personal opinion that Senate Joint Resolution 93 does not authorize the postponement of independence beyond July 4, 1946.

Which was the date fixed in the Tydings-McDuffie Act—

The passage of this resolution will put you in a most favorable position. If the United States forces should recapture the Philippines before 1946, independence would be advanced. If the occupation should be retarded beyond July 4, 1946, independence would nevertheless be a reality on the date provided by the Tydings-McDuffie law. Such was my understanding in the conferences held in connection with and prior to the introduction of this resolution.

Thus it will be seen from the letter, as I am sure it will appear from the law, that in no case would Philippine independence come later than July 4, 1946, and if our military ventures in the Philippines make it possible to give the Filipinos independence prior to that date, it will be accorded to them prior to that date, but in neither event does the law have in mind postponing ultimate independence beyond July 4, 1946.

Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

#### FILIPINO REHABILITATION COMMISSION

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 94) establishing the Filipino Rehabilitation



Commission, defining its powers and duties, and for other purposes, which were, on page 1, to strike out lines 3 and 4 and insert "That section 13 of the act of March 24, 1934, as amended, is hereby further amended by striking out the proviso and inserting in lieu thereof the following"; on page 1, line 5, to strike out "Sec. 13"; on page 2, line 4, after "Philippines", to insert "each appointee shall serve at the pleasure of his appropriate appointing authority"; on page 2, line 24, after "present", to insert "or heretofore agreed upon"; on page 2, line 25, to strike out "replace" and insert "make adjustments for"; on page 3, line 1, to strike out all after "Japanese", down to and including "of", in line 4, and insert "in order to reestablish"; on page 3, line 23, after "be", to insert "on a per diem basis at the date of", and to amend the title so as to read: "Joint resolution to amend section 13 of Philippine Independence Act, as amended, establishing the Filipino Rehabilitation Commission, defining its powers and duties, and for other purposes."

Mr. TYDINGS. I move that the Senate concur in the amendments of the House

The motion was agreed to.

#### NAVAL PLANTATIONS OUTSIDE THE CONTINENTAL UNITED STATES

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill from the Senate (S. 1634) to provide for the management and operation of naval plantations outside the continental United States which was, to strike out all after the enacting clause and insert:

That hereafter the appropriations for the subsistence of naval personnel shall be available for any and all expenditures necessary in the management, operation, maintenance, and improvement of any plantation or farm, on land subject to naval jurisdiction outside of the continental United States, for the purpose of furnishing food and food products to the armed forces of the United States: *Provided*, That equipment, material, and supplies required therein may be purchased without regard to section 3709 of the Revised Statutes, and other laws applicable to purchases by governmental agencies: *Provided further*, That only American nationals, employees of the United States, shall be entitled to benefits under the civil-service laws, and other laws of the United States relating to the employment, work, compensation, rights, benefits, or obligations of civilian employees of the United States: *Provided further*, That surplus production over the amount furnished or sold to the armed forces of the United States and to civilians serving with the armed forces may only be sold outside the continental limits of the United States: *And provided further*, That no land shall be acquired under this authorization.

Sec. 2. This act shall remain in effect until the termination of the present war and for 6 months thereafter.

Mr. WALSH of Massachusetts. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year

ending June 30, 1945, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on the amendment of the Senator from Georgia [Mr. RUSSELL] to strike out on page 10, lines 3 to 16, inclusive, as amended.

Mr. BILBO. Mr. President, I am glad to have yielded to my colleagues for this discussion. I promise the Senate not to consume much time. I had seriously considered the advisability of not speaking at all, because I discovered, in association with my colleagues, that the die had already been cast. Their minds seemed to me to have been made up, and it seemed to me that we might as well proceed to a vote. However, in order to keep the record straight, I have decided to make a few observations.

I wish to begin by referring to the June 13 issue of the Washington Post. Senators know this newspaper. They know who owns it and who fixes its policies. It is our good friend Eugene Meyer, together with his good wife. We are not surprised at the things we sometimes see in this newspaper. In fact, whatever I see in it does not disturb me.

The Washington Post for June 13 contains an editorial under the heading "Fair practices." It reads in part as follows:

Unfortunately, however, the issue has been distorted and obscured—imbued with wholly irrelevant emotional overtones and linked with complex questions of interracial relations.

In conclusion the editorial says:

The House has voted an appropriation of half a million dollars to carry on the F. E. P. C.'s work. The Senate Appropriations Committee, despite an unfavorable subcommittee report, has recommended the approval of this sum. Today the Senate as a whole will begin discussion of it. We hope that the discussion will be concerned with the real issue—not with bugbears conjured up to obfuscate it. We cannot deny to citizens of the United States equality of economic opportunity.

With this introduction I wish to state that I am convinced that a great many of my colleagues have not stopped to analyze the real meaning of this piece of legislation. There has been no attempt to "obfuscate" the issue, as the Post says. The line of discussion up to date has dealt with the legal and constitutional aspects. I think it is pretty well agreed that there is no constitutional ground upon which this appropriation could be made; that the President has exceeded his authority and powers under the Constitution; and that this agency cannot be constitutionally approved. The reason it is going to be approved is that it was conceived and brought forth in the political mind. The purpose of it is political, from beginning to end, as I propose to show.

A few years ago a Member of the House facetiously remarked that many times we vote for bills, and the next day we buy the newspapers to see what we voted for. That remark was only facetious, but there may be a suggestion of truth in it. For example, the other day we voted \$909,500 for the support of How-

ard University, in the city of Washington. The only ground upon which we could appropriate that much of the taxpayers' money would be on the general ground of public welfare. There is certainly no authority for it, unless we stretch the Constitution, as Thomas Jefferson did when he purchased the Louisiana Territory. The appropriation cannot be justified. In the reconstruction days following the Civil War, under the leadership of Thaddeus Stevens, Charles Sumner, and others of their kind who were embittered against the South and were trying to rejuvenate the black race, the idea of establishing Howard University for the higher education of the Negro was conceived, and Congress has continued from year to year to make appropriations for the support of this institution, spending nearly \$1,000,000 a year for it.

Nearly all the States in the Union in which there is a Negro population have established educational institutions for the Negroes. In Mississippi we have a very fine Negro college, supported by the State. That is all right; it should be done. But the Congress of the United States spends the taxpayers' money for only one university in America, and that is Howard University. It is exclusively for the Negro race, not for the members of the white race. That cannot be justified. It must be excused simply on the broad ground that it is good for the public welfare. But when we voted for that appropriation the other day I dare say not many Senators knew what is being done at Howard University.

I wish to read to the Senate a write-up on some of the things which are happening there:

Speaking on a program which included remarks by Representative HAMILTON FISH, of New York—

All Members of the Senate know him—Representative HAROLD KNUTSON, of Minnesota—

He is well known—Representative WILLIAM A. ROWAN, Edgar G. Brown—

Of local fame—Rev. Walter H. Brooks, Benjamin Crowson, and a splendid address by Dr. Charles R. Drew, Spingarn Medal winner and the first director of the American Blood Bank, who in giving the story of blood and blood plasma said that there is no difference between colored and white peoples' blood, Prof. William Leo Hansberry—

Note that name, please—famous anthropologist of Howard University presented interesting discoveries to a thrilled interracial audience at the monthly banquet-  
forum of the Institute on Race Relations held at the Asbury Methodist Church, 11th and K Streets NW, Washington, D. C., last Thursday, April 27, 1944.

The Asbury Methodist Church is the same place at which was held a mass meeting during which there was adopted a resolution asking me to resign as chairman of the Senate Committee on the District of Columbia. I imagine about the same kind of crowd was present there when the meeting I am now referring to was held.



I read further from the résumé:

Professor Hansberry, who was introduced by Tomlinson D. Todd, the President of the Institute on Race Relations, gave a vivid picture of early African civilizations. He also presented in a clear style the migration of the population in the Sahara region of Africa (and now the Sahara desert) to Europe and Asia, when this region started drying up and turning into a huge desert. As a result of climatic conditions, Negro-type people bleached out in Europe and became the white people. To substantiate this early migration he stated, "skeletons of the Negroid type have been found in several European and Asiatic countries."

In his discourse, the speaker enumerated 3 reasons for the collapse of the African civilizations. This collapse "which occurred in the fifteenth, sixteenth, and seventeenth centuries, was caused by (1) the slave trade carried on by the Arabs; (2) the continuous drying up of the Sahara region; (3) the European slave trade which lasted 250 years.

"Since a race of people is judged by its past achievements," he stated, "it is important that information about Africa's contribution to civilization be assembled and put into the language of the layman or average man."

In other words, the Congress of the United States is paying the taxpayers' money for the support of a university at which the professor of anthropology is teaching American Negro youth that the white man descended from the Negro. I do not know whether Senators like that idea or not. It is news to me. Senators may wish to know why so many outbreaks have been occurring—and I shall deal with them directly—among the younger generation of Negroes. It is because of the dissemination into their minds of this kind of doctrine or teaching. Dr. Hansberry demonstrates and proves to a class of young Negroes that, because a Negro-type skeleton was found somewhere in northern Europe, all the white people have migrated from Africa or have descended from the Negroes, and that the reason they are white is that they went north and bleached out. Mr. President, certainly such teaching makes the young Negro feel he is the beginning and the end of all races and of all things. The outbreaks which I shall mention in a few minutes have been occurring as a follow-up on the question of discrimination.

Mr. President, I have brought to the attention of the Senate the matter of the teaching of anthropology at Howard University by Dr. Hansberry to prove that frequently when we are doing things we do not know what we are doing. I do not think any Senator on the floor would relish the idea that he was paying out the taxpayers' money to support a university which was permitting the professor of anthropology at that university to teach this kind of doctrine, namely, that the white man descended from the Negro, merely because an African skeleton happened to be found in northern Europe. Dr. Hansberry does not let his mind go free, or he would at once understand that the white man had gone down to Africa and gotten an African, carried him back into Europe, and used him there as a slave, as we did in this country before the Civil War. I cannot help it if that Negro died in northern Europe. All reputable anthropologists and eth-

nologists agree that the human race is divided into three classes, namely, the white, black, and brown. This is the first time I have known of any professor in a university advancing the idea that the white race ascended from the black race.

It is true that prejudices exist here and there between the races. We do not like the Japs, and we are not infatuated with the Chinese. When I say "we," I do not mean to include Miss Pearl Buck, but I am referring to the rest of us. The Chinese belong to an entirely different race. I have no hatred against the Negro. I can make that statement truthfully, and I think my personal record will prove that I have no hatred for him. For 8 years I was Governor of the only State in the Union in which there were more Negroes than whites. I had no trouble with them. I treated them fairly and squarely. I tried to give them a break in life, and afford them opportunities for education. When I thought that a job had been "put up" on a Negro in the courts I was free in my use of the pardoning power in order to adjust the situation. There were only a few cases of lynching during my tenure of office. Once in awhile a rape occurred, and no power of any Governor could have stopped the administration of immediate justice—liquidating the rapist. However, I can say that there were fewer cases involving the breaking down of law in Mississippi than in New York State. It is a matter of official record that there is, on an average, a killing of at least one Negro every night in Harlem, New York. Yet, that locality is the source of a great deal of the clamor with reference to race prejudice and race discrimination.

Behind the bill under consideration is the fundamental idea advanced by A. Philip Randolph, Judge Hastie, Judge Wilkins, of the N. A. A. C. P., and Walter White, of the N. A. A. C. P., that any form or type of segregation is a discrimination. The committee for which we are asked to appropriate \$500,000 of the people's money is married to the one idea that segregation of any sort is discrimination. The Supreme Court has held repeatedly that segregation wherein both parties are given equal treatment, is not discrimination. But in the midst of the war the persons to whom I have referred are determined to carry on and prosecute their campaign to eliminate all types of segregation.

Many persons in this country are coddling and playing up to the Negro in order to secure his vote. Personally, or in any other way, I am not interested in the Negro voting. The Negro does not vote in my State, and he is not going to vote within a long, long time. Congress may pass all the anti-poll-tax legislation it wishes to pass, but the Negro is not going to vote in my State at this time. I suggest that if any of them wish to vote they can move to New York or Pennsylvania, in either of which States they will possibly find a more congenial atmosphere.

I hold in my hand a signed statement of A. Philip Randolph. He takes credit for bringing about the appointment of

the Committee on Fair Employment Practice, and points to it as an achievement in connection with his famous "On to Washington" movement, which took place in 1941, when he organized 200,000 Negroes, and proposed to march on the city of Washington and demand all the things which the Negro, through the N. A. A. C. P. and other organizations, are demanding today. It has been freely charged that the President made a trade with Randolph in order to prevent his march on Washington, and that he issued for Randolph the famous Executive Order No. 8802.

Mr. President, I shall take the time of the Senate to read into the Record what Randolph says about this proposition. It is headed "Why Should We March?" and reads as follows:

Though I have found no Negroes who want to see the United Nations lose the war, I have found many who, before the war ends, want to see the stuffing knocked out of white supremacy and of empire over subject peoples. American Negroes, involved as we are in the general issues of the conflict, are confronted not with a choice but with the challenge both to win democracy for ourselves at home and to help win the war for democracy the world over.

There is no escape from the horns of this dilemma. There ought not to be escape. For if the war for democracy is not won abroad, the fight for democracy cannot be won at home. If this war cannot be won for the white peoples, it will not be won for the darker races.

Conversely, if freedom and equality are not vouchsafed the peoples of color, the war for democracy will not be won. Unless this double-barreled thesis is accepted and applied, the darker races will never wholeheartedly fight for the victory of the United Nations. That is why those familiar with the thinking of the American Negro have sensed his lack of enthusiasm, whether among the educated or uneducated, rich or poor, professional or nonprofessional, religious or secular, rural or urban, north, south, east, or west.

That is why questions are being raised by Negroes in church, labor union, and fraternal society; in poolroom, barbershop, schoolroom, hospital, hair-dressing parlor; on college campus, railroad, and bus. One can hear such questions asked as these: What have Negroes to fight for? What's the difference between Hitler and that "cracker" Talmadge of Georgia? Why has a man got to be Jim Crowed to die for democracy? If you haven't got democracy yourself, how can you carry it to somebody else?

What are the reasons for this state of mind? The answer is: Discrimination, segregation, Jim Crow. Witness the Navy, the Army, the Air Corps; and also Government services at Washington. In many parts of the South, Negroes in Uncle Sam's uniform are being put upon, mobbed, sometimes even shot down by civilian and military police, and on occasion lynched. Vested political interests in race prejudice are so deeply entrenched that to them winning the war against Hitler is secondary to preventing Negroes from winning democracy for themselves. This is worth many divisions to Hitler and Hirohito. While labor, business, and farm are subjected to ceilings and floors and not allowed to carry on as usual, these interest trade in the dangerous business of race hate as usual.

When the defense program began and billions of the taxpayers' money were appropriated for guns, ships, tanks, and bombs, Negroes presented themselves for work only to be given the cold shoulder. North as well



as South, and despite their qualifications, Negroes were denied skilled employment. Not until their wrath and indignation took the form of a proposed protest march on Washington, scheduled for July 1, 1941, did things begin to move in the form of defense jobs for Negroes. The march was postponed by the timely issuance, June 25, 1941, of the famous Executive Order No. 8802, by President Roosevelt. But this order and the President's Committee on Fair Employment Practice, established thereunder, have as yet only scratched the surface by way of eliminating discriminations on account of race or color in war industry. Both management and labor unions in too many places and in too many ways are still drawing the color line.

If we read the record of proceedings under Dr. Ross, it will be found that the Committee is delving into every department of the Government. Today Mrs. NORTON, in the other House, is working hour after hour in an attempt to have passed through the House a bill to make the Committee permanent, and to include within its jurisdiction every organization and every business activity in the country which, under the definition of the Supreme Court, comes under interstate commerce. Then, as Randolph says, he will begin to scratch the surface and more than scratch the surface.

I wish to say to some Senators who are planning to vote for this appropriation and to give life to this movement they had just as well get ready to select one of these mulattos or high-brown or yellow girls as their stenographer, because Dr. Ross and his organization will be serving notice on them, when he becomes fixed and permanent in his position, that Senators are discriminating against the colored girls of the Nation; that Senators ought to have Negro girls in their offices, and they had just as well get ready for it. It is coming, and I assure them that when they get one all the B. O. powders on earth will not dissipate the odoriferous aroma they will find permeating their offices day by day.

When A. Philip Randolph got his Order No. 8802 in a trade with the President not to bring his Negroes on to Washington, what did they do? What has this Committee done for the District of Columbia? Go down into the departments and it will be made plain. Before this took place there was some semblance of segregation in all the departments. But what did they do? They proceeded at once to visit all the departments of the Government in Washington, tear out the partitions that separated the eating places of the whites and the blacks, and throw them all together at the same table. Then they tore out the partitions separating the closets, the rest rooms, and the wash rooms in all departments, and forced all employees to use the same rest rooms. That is what has been taking place as the result of this order, of this Committee, of this movement.

Some of my colleagues may have schooled themselves to tolerate or endorse forcing the white women in the departments to use the same toilet facilities used by the colored employees, but I have not yet reached the point where I think it is proper for the United States Congress to support legislation and appropriate the tax money to foster and

perpetuate an organization that is engaged in this kind of business, of forcing white girls from all over the Nation—I am not speaking solely of white girls from the South—not only to eat with the Negro, in violation of all their conceptions and ideals of the relationship between the two races but forcing them to use the same toilets. There are all sorts of disorders taking place between the whites and the blacks in the departments because of the enforcement of the order doing away with the segregation of the races insofar as the eating places and the toilet facilities in the departments are concerned.

It is to meet this situation squarely with direct action that the March on Washington Movement launched its present program of protest mass meetings. Twenty thousand were in attendance at Madison Square Garden, June 26; 9,000 in the City Auditorium of St. Louis, August 14. Meetings of such magnitude were unprecedented among Negroes. The vast throngs were drawn from all walks and levels of Negro life—businessmen, teachers, laundry workers, Pullman porters, waiters, and red caps; preachers, craps shooters, and social workers; jitterbugs and Ph. D's. They came and sat in silence, thinking, applauding only when they considered the truth was told, when they felt strongly that something was going to be done about it.

The March on Washington Movement is essentially a movement of the people. It is all Negro and pro-Negro, but not for that reason anti-white or anti-Semitic, or anti-Catholic, or anti-foreign, or anti-labor. Its major weapon is the nonviolent demonstration of Negro mass power. Negro leadership has united back of its drive for jobs and justice. "Whether Negroes should march on Washington, and if so, when?" will be the focus of a forthcoming national conference. For the plan of a protest march has not been abandoned. Its purpose would be to demonstrate that American Negroes are in deadly earnest, and all out for their full rights. No power on earth can cause them today to abandon their fight to wipe out every vestige of second class citizenship and the dual standards that plague them.

A community is democratic only when the humblest and weakest person can enjoy the highest civil, economic, and social rights that the biggest and most powerful possess. To trample on these rights of both Negroes and poor whites is such a commonplace in the South that it takes readily to anti-social, anti-labor, anti-Semitic, and anti-Catholic propaganda. It was because of laxness in enforcing the Weimar Construction in republican Germany that nazi-ism made headway. Oppression of the Negroes in the United States, like suppression of the Jews in Germany, may open the way for a Fascist dictatorship.

By fighting for their rights now, American Negroes are helping to make America a moral and spiritual arsenal of democracy. Their fight against the poll tax, against lynch law, segregation, and Jim Crow, their fight for economic, political, and social equality, thus becomes part of the Global War for freedom.

In other words, A. Philip Randolph, the organizer and the head of the on-to-Washington movement, which gave birth to the Fair Employment Practice Committee, which is under discussion—and he takes full credit for getting it as a result of his efforts to invade Washington with 200,000 Negroes en masse—does not hesitate. He says very frankly that one of the things the Negro is fighting for in this war and in this campaign and this

Committee is social equality between the whites and the blacks. It will be found that some of the Negro agitators and some of the Negro speakers and preachers say, "Oh, no; we do not want social equality; we want our economic rights; we want our political rights." They lie. Back in the heart of every Negro in America who is behind movements of this kind is the dream of social equality and intermarriage between whites and blacks. They boast of the fact. Dr. Franz Boas, the great anthropologist of Columbia University, boasts of the fact that the intermarriage and the mingling of the two bloods would bring about a better race. On that theory there have been books written—*The Yellow Race*. That is their dream; that is their hope; that is what they are fighting for.

The Negro gets an economic square deal as much as could be expected. He is given a chance to work, unless he fails to join a union. Of course, now, if he does not pay his lodge "poll tax" and his monthly dues and his initiation fee, he can starve and go to hell so far as the C. I. O. and the other unions are concerned, because they demand payment of the poll tax before a man can work—and work is a greater right than is voting.

Members of the Senate ought to know where the Fair Employment Practice Committee came from. It was born through the activity of A. Philip Randolph, who organized the movement "On to Washington," and the President made a trade with him, I am informed, and issued the famous Executive Order 8802.

Things were not getting along very well, and they organized a committee headed by Mr. Mark Etheridge, who is now connected with the old Louisville Courier in Louisville, Ky. Then they had Dr. McLean as head of it, and finally they reorganized again and made Dr. Ross the head of it, and it is the present organization we are now considering.

Mr. President, it has been charged freely many times that instead of this Committee being of real benefit to the war effort and unity, it is sowing the seeds of discord, and bringing about disruptions, bringing on strikes and conditions of that kind. I wish to read a paragraph from FM, the issue of Sunday, June 18, last Sunday. From New Orleans, La., comes this special:

New Iberia authorities conceal story of worst anti-Negro flare-up in years.

Four leading Negroes of New Iberia were sorely beaten and forced to leave that part of Louisiana.

Let me read the background of this:

The seeds of this instance of race persecution were planted, according to the victims, when a committee of Negroes, led by Hardy as representatives of the N. A. A. C. P.—

That is Walter White's organization. By the way, I presume all Senators have read in the New York Times and other newspapers that Walter White celebrated his twenty-fifth anniversary in the Roosevelt Hotel a few nights ago, and the leading actors at the celebration were Mrs. Eleanor Roosevelt and Wendell L. Willkie. A collection was taken up, and Mr. Willkie gave the N. A. A. C. P. a nice



little check for \$5,000. There is no record of Mrs. Roosevelt making any contribution, except what she had to say.

I continue reading from the dispatch:

The seeds of this instance of race persecution were planted, according to the victims, when a committee of Negroes, led by Hardy as representatives of the N. A. A. C. P., asked that a welding school for Negroes be established, shortly after the opening of a similar school for whites by the War Manpower Commission and the United States Department of Education.

Listen to this:

Local efforts of the Negro committee met with failure, it is said, and the committee then contacted the F. E. P. C. office in Dallas, Tex.

And the next Monday morning they opened a welding school for the Negroes, the riot broke out, and the Negroes had to leave town.

Mr. President, that indicates exactly what this organization is doing. They are so extreme, they are so radical, that instead of letting the white man and the black man work out their own salvation when they are forced to live side by side, as they have been doing, agitators and long-haired social workers, like Dr. Ross, are sowing the seeds of discord throughout the country, and they are using this instrument of government to bring about trouble.

Now let us see about some more trouble that has been happening as a result of all this coddling and these political appeals to the Negroes. I read from the New York Times:

PASSENGER ON B. M. T. TRAIN SHOT FOR OBJECTING TO ROWDY ACTS OF EIGHT YOUNG NEGRO HOODLUMS

Eight Negro hoodlums, 15 to 17 years old, terrorized more than a hundred passengers on a Brighton Beach Line B. M. T. subway train bound from Coney Island to Franklin Avenue, Brooklyn, last night, and when one of the passengers objected they felled him with a blow and, while he was lying prostrated, shot him twice.

The youths escaped at the Park Place Station before police radio cars reached the scene. Their victim, John Montero, 29 years old, of 1683 University Avenue, the Bronx, was taken to Jewish Hospital, suffering from bullet wounds of the left wrist and the left hip. His condition was not dangerous, it was said at the hospital.

Listen to this:

The Negro youths boarded the eight-car train, some sections of which were crowded, at the Prospect Park Station, shortly before 9 p. m. They began running through the cars yelling:

"This is D-day for the colored folks, white trash get off."

Pushing passengers about and rough-housing them, the boys made themselves obnoxious, and when the train stopped at the Botanical Gardens Station a number of the passengers got off, to wait for the next train. The gang continued its rowdiness, seeking to annoy the passengers.

As the train approached the Park Place Station, Mr. Montero told the boys to quiet down, that their conduct was beyond endurance. One of the boys took a swing at him, hitting him in the jaw. He fell to the floor. Before the other passengers could see what was happening, two revolver shots rang out, the bullets finding a mark in Mr. Montero's prone body.

Police of the Grand Avenue Station are investigating.

I read an article entitled "Editorials of Note," which quotes from the Columbus Commercial-Dispatch, as follows:

#### EDITORIALS OF NOTE

From the Columbus Commercial-Dispatch the following incident where the races are mixed in New York City shows the dangers of such a system even in northern communities:

New York, May 11.—Police reported that 25 white and 25 Negro girls fought for almost half an hour in the cafeteria of Brooklyn Girls High School today and that 4 pupils were injured, 1 seriously.

Rose Gallop, 16, Negro, was arrested on a charge of third-degree assault on complaint of Albert Levine, a white teacher, who said she assaulted him when he told her to stay in line just prior to the disturbance.

Police told this story:

"White girls defending the teacher's action, and Negro pupils, taking the side of the Gallop girl, argued and then fought with chairs, dishes, fists, and fingernails as weapons.

"Edna Farnsworth, principal, and Alice Garvey, her assistant, attempted unsuccessfully to restore order, then called police.

"Fifteen uniformed policemen and 10 detectives responded and quelled the disturbance."

This is just one instance of the consequences of the violation of the basic, fundamental system of race segregation.

Segregation is the only basis on which the two races can live in peace and harmony and it is inescapable.

No right-thinking person wants to deny Negroes their economic and civil rights.

They are entitled to fair and just treatment.

They are entitled to live in peace and to enjoy the economic and civil rights of free people.

But racial differences must be recognized and wise and just and reasonable segregation is the only solution of the problem.

This is fundamentally true and inescapable, all the agitation of troublemakers to the contrary notwithstanding.

That, Mr. President, is another instance of LaGuardia government and coddling from Washington of the young promising American Negro.

I read from another newspaper article, as follows:

#### BOY TELLS HOW 10 YOUTHS BEAT WOMAN ON TROLLEY

An eyewitness related today that at least 10 Negro boys and girls kicked and punched a woman passenger into unconsciousness in a wild purse-snatching melee aboard a Brooklyn trolley last night and escaped by leaping through the windows of the car, leaving behind razors and knives.

The incident, which occurred in a Tompkins Avenue trolley shortly after the car left its terminal at Empire Boulevard and Prospect Park, was described by a 16-year-old boy, also a passenger, who asked that his identity be withheld because he feared attempts at reprisal.

Fifteen Negro youths were rounded up by police with guns drawn after the disturbance.

Police said one open razor and seven knives were found in the car.

Principal victim of the attack was Ruth Upham, 25, of 1096 Park Avenue, Brooklyn, an insurance broker and student at Columbia University Teachers College.

"Miss Upham was standing in front of me," the eyewitness told a reporter. "I was seated. First, they started to shout and push. Purse snatching came next. She was knocked onto me, and I tried to shield her face from punches.

#### SAW RAZOR, KNIVES

"They jabbed and kicked and punched her. There must have been 10 or more. As the trolley car neared the station (the Empire Boulevard police station, where the motor-man halted the car and summoned police), Negroes in the rear started to jump out of the windows, apparently afraid to be caught with weapons.

"When the trolley was cleared I saw at least one open straight-edge razor and two knives on the floor. Other articles were everywhere."

Miss Upham, who had a laceration over the left eye and was limping from what, she said, was a severe back injury, she said: "I was knocked out before we got to the station house and when I woke up I was on a bench in the police station."

Miss Upham said she lost count of the blows rained on her after receiving between 40 and 50.

She said she had attended the baseball game with a group of friends at Ebbets Field and was on her way to Manhattan for dinner when the disturbance broke out. She said a \$5 bill was missing from her purse when she recovered it.

The facts set forth in this article are too disgusting to read further.

Mr. President, this is some of the fruit of the plantings by certain race coddlers in the minds of the Negro. A doctor at Howard University said that the white man descended from the Negro. This is only an example of what is taking place and what is going to take place. Right here in Washington we are headed for trouble. Practically two or three times a day I have callers from among the citizens of the District who think I can give them relief, who complain about the methods being pursued by a number of Negro real-estate agents and some unethical and unprofessional white real-estate agents who do not belong to the real-estate board in the District of Columbia—they are too sorry specimens to be licensed—who are engaged in an assiduous campaign of trying to break up the white districts in the city of Washington. Their scheme is to manipulate until they can buy one house or one lot in the center of a white block, and the minute that is done—sometimes they move the Negroes in after night—then the value of the real estate in that block at once drops from 10 to 15 or 20 percent under the market. The people who have spent their lives trying to accumulate money to build a home in which to live in the Capital of the Nation are now face to face with this menace because of the preaching that segregation is discrimination, and there is a concerted move on to break up white sections throughout Washington.

I listen to these cases day after day, and the situation is very regrettable. I wish there was something I could do about it. But unless there is a covenant in the deed, there is no law by which a Negro can be prevented from buying a lot or a home in the middle of a white block. I do not know of any way to reach the situation. Of course if this were done in the South I would know how to handle it. But Washington, as Senators know, while sometimes called a southern city, is on the borderline, and I am convinced, as I have said, and that is one of the reasons why I am opposing suffrage for the District, that there is a



concerted movement to drive the white people out of Washington into Virginia and Maryland, and to flood the town with Negroes, so in case the citizens of Washington are given the right to vote there will be a Negro administration in the Nation's Capital. That is the dream of the black cabinet here in Washington.

Mr. President, I now want to read an open letter written by a man who is in the publishing business in Washington, a very fine gentleman whom I have had the pleasure of meeting. The letter is addressed to Mrs. Franklin D. Roosevelt, to Senator THEODORE G. BILBO, to the president of Howard University, to the Secretary of the Washington Real Estate Board, to the secretary of the District of Columbia Real Estate Commission, to the secretary, Federation of Citizens Associations, to the secretary, Federation of Civic Associations, to Representative JENNINGS RANDOLPH, to the editor, Afro-American, the editor of the Evening Star, the editor of the Times-Herald, the editor of the Washington Post, the editor of the Washington Daily News, and the editor of the Bulletin. I do not know what newspaper the last one is. The letter is as follows:

PARK VIEW CITIZENS' ASSOCIATION,  
Washington, D. C.

DEAR MADAM AND SIR: This is an open letter to the people of Washington, inspired by what is without question a definite injustice being done colored people by certain unscrupulous, unethical white and colored real estate dealers operating in what is known as Park View.

The observations I am about to bring to the attention of the people of Washington have been gathered by me as chairman of the housing committee of the Park View Citizens' Association through close contact with the residents of my community and conversations with certain real-estate operators of our city.

We—and when I say we, I mean the reasonable-thinking members of my association—hold no grudge against the colored people, nor do we feel that the time is too soon that the right-thinking, properly prepared colored person should not enjoy equal opportunity—let this be a matter of record. Do object, however, to being forced to vacate our homes in favor of colored people who are being promoted by selfish real estate dealers. Dealers who have no other motive but to enrich their own treasures at the expense of the colored man by—

1. Selling him old houses at two and three times their original price. Houses that sold for \$3,800 when brand new 30 years ago have been recently resold to colored for \$9,000 and more. Houses that were patched up to look completely renovated but that very shortly will need new roofs, new porches, new plumbing, and many other expensive repairs.

2. By encouraging a colored man to locate in a block solidly inhabited by white and then alarming the rest of the white inhabitants by telling them the whole block is going colored and that they had better sell while the prices are high. The white residents are becoming irritated, cussing the Negro because of this unscrupulous promotion, when, in fact, the trouble lies with the unethical real-estate man, and we mean unethical real-estate man—for not one known real-estate man who is a member of the Real Estate Board is taking advantage of the colored man by selling houses to him in our community at unfair prices.

(We are glad, however, to report that there are a number of real-estate dealers, not members of the board, who have not exploited the

colored man, and have told us that they have no intention of operating in our community as long as such transaction would create any ill will among the races.)

3. By moving these colored people into these homes under the cover of darkness and destroying self-respect, they would have if they wait a very little while longer when a more propitious time comes for the whites to turn over this neighborhood through ethical real-estate men who will bring them in by the front door in broad daylight with the full sanction of their white fellow citizens.

4. By causing us to have to conduct court litigation to hold our homes. This we regret, for this move is not against the colored man, but is our only valid defense against this unethical, antisocial promotion of which both races are victims.

There are a number of elderly couples who have owned houses in Park View for many years, as well as many mothers and wives of servicemen who are overseas. When your sons and husbands and brothers and sisters—and our sons and husbands and brothers and sisters—settle this conflict of wrong thinking overseas and our families can return to normal conditions, the community development for the colored man can be made without cheating the Negroes and without unnecessary racial antagonism.

Now, as at no other time, let us reasonable-thinking people bind ourselves together against those who would interfere with our progress and our economic welfare. It is not the race to which we belong that counts—but the important thing is how we conduct ourselves.

Sincerely,

A. WALTER COLLIER.

This abuse is going on throughout the city. I receive many reports every day. These Negroes are willing to pay \$2,000 or \$3,000 in excess of the market value of the property in order to carry out their scheme to drive the white people from the white sections of Washington so that they may take possession of them. I know of no way for those people to get any relief except by taking the proposition into their own hands and giving the matter their personal attention.

Mr. President, we have already voted to support a university which is teaching the Negroes of the country that the white man descended from the Negro. Now we are face to face with voting for a proposal to permit an organization which is not practicing what it is preaching to go into every business establishment and industry in America and say who is to be employed and who is to be dismissed. It is even going into the unions themselves. This is only the beginning of this character of legislation. This only the entering wedge. Behind it all is the drive of A. Philip Randolph to force social equality, to force the intermingling of the races, and do away with segregation in Washington and throughout the entire Nation. I am sure the good people of Washington are not in favor of doing away with segregation, because they are opposed to having white children and black children attend the same schools, and having the white children taught by Negro teachers, as is done in Pennsylvania. I know the people of Washington do not want that. The people of Washington have always stood for the dual system of public schools, and I think they will continue to stand for it. I do not believe that the public wish to see their hotels, restaur-

rants, and cafes shared by whites and Negroes. The poor white girls in the departments, who must work for a living, are compelled to use the same toilet facilities, the same cafeterias, and the same dining rooms with Negroes. They cannot help themselves. The only way out is for them to make their department white or to catch a train and go home.

This situation cannot continue. There will be an end to such conditions in Washington. There will be an end to unscrupulous Negro real-estate agents, with some influence behind them, trying to break up white sections in the District of Columbia. The people are not going to stand for this kind of "monkey business" always. They cannot be blamed.

The Committee which we are asked to support is a great political asset. I was amused at the Senator from New York yesterday when I asked him to explain why it is, if the Committee is to do away with discrimination, that, with 12,800,000 Negroes in the United States out of a population of 134,000,000, in the personnel of this organization there are 113 employees, about 80 percent of them Negroes, and the remainder whites. He explained it by saying that so many cases of complaints were arising because of discrimination against the Negro that Negroes were employed to make the investigations. Then he was quietly reminded that the next largest list of complaints related to discriminations against the Jews. Upon examination I find that there is not a Jew in the whole list of 113 employees. This is the only Government organization with which I am familiar which has no Jews in its personnel.

I found my good old friend, Rabbi Wise, trying to persuade the House to perpetuate this damnable Committee. He was pleading for its permanent establishment to protect minority races. Rabbi Wise is the last man in the world who should complain about discrimination against minority races under the Roosevelt administration. Mr. Morgenthau operates the financial part of the Government. A very splendid Jew from New York, Barney Baruch, is shaping all the policies of the administration, especially the post-war policies. Jimmy Byrnes was appointed Director of War Mobilization, and yet he sends for Barney Baruch to come down and fix things up. A Committee on Post-war Planning was created in the House. It sends to New York for Barney Baruch to come down and tell it what to do. He is running the show. We are now being urged to enact legislation which he has fathered and suggested.

When it comes to the departments, there is no lack of the Jewish rationality in the departments. I think Rabbi Wise is the last man in the world who ought to be complaining against discrimination against minority races, when his nationality has received more consideration at the hands of the present administration than any other nationality in the United States.

Many persons fail to distinguish between division of races and division of



nationalities. The Pole, the Jew, the Italian, and the German all belong to the white race. The Negro belongs to the black race, and the Chinese and Japanese belong to the Mongolian race.

I do not think I shall ever make another speech on the floor of the Senate without closing with the statement that there is only one way to save the country from disturbing influences, disunity, and mob violence such as that to which I referred in New York, which resulted from the coddling of the Negro in New York by Mayor LaGuardia and the politicians, who have led the Negro to believe that D-day for the Negro in New York has arrived, and that he is coming into his own. The only solution is to follow the suggestion, the wish, and the prayer of 2½ million Negroes whose names and addresses I have in my office, asking Congress to provide a way for their resettlement in their fatherland, West Africa. That is the only permanent solution. So long as we continue the present arrangement, and so long as the Negro is a political factor, we shall continue to have bloodshed, riots, race troubles, and other disturbances, and we shall have this kind of damn-fool legislation. The only solution to all of it is to give the Negroes an opportunity to be resettled in the richest country on earth.

The other day I noticed that my good friend Mrs. Roosevelt took a shot at my proposal—not by name—but indirectly. She said she did not understand how these things could be done. In other words, she is opposed to the plan. We are continually passing resolutions looking to the creation of a home for the Jews in Palestine.

I do not claim any credit for the campaign to resettle the Negroes in West Africa. President Monroe started it, Jefferson encouraged it, Madison and Abraham Lincoln and President Grant were for it. When 2½ million persons—Negroes—request the Congress to give them that relief, that opportunity, and that break, I do not see why Mrs. Roosevelt or anyone else should object to it. Of course, she did not understand my ultimate plan. If I can succeed eventually in resettling the great majority of the Negroes in West Africa—and I propose to do it—I might entertain the proposition of crowning Eleanor queen of Greater Liberia.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The question is on agreeing to the amendment of the Senator from Georgia [Mr. RUSSELL], striking out, on page 10, lines 3 to 16, as amended.

Mr. GEORGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Chavez	Green
Ball	Connally	Guffey
Bankhead	Cordon	Gurney
Barkley	Danaher	Hatch
Bilbo	Davis	Hill
Brewster	Eastland	Holman
Burton	Ellender	Johnson, Calif.
Bushfield	Ferguson	Johnson, Colo.
Butler	George	Kilgore
Byrd	Gerry	Lucas
Capper	Gillette	McClellan

McFarland	Radcliffe	Tydings
McKellar	Reed	Vandenberg
Maloney	Revercomb	Wagner
Maybank	Robertson	Wallgren
Mead	Russell	Walsh, Mass.
Millikin	Shipstead	Walsh, N. J.
Murdock	Stewart	Weeks
Murray	Taft	Wheeler
O'Mahoney	Thomas, Okla.	Wherry
Overton	Thomas, Utah	White
Pepper	Tunnell	Willis

The PRESIDING OFFICER. Sixty-six Senators having answered to their names, a quorum is present.

Mr. GEORGE. Mr. President, the debate with reference to the amendment to strike from the pending appropriation bill the item for the support of the Fair Practice Committee—a term which I shall use for the sake of brevity—has been exhaustive. In a comprehensible speech my colleague the junior Senator from Georgia [Mr. RUSSELL] covered the ground and the arguments in this matter in a very forceful and effective manner. So, from the standpoint of the presentation of facts, the issue has been very clearly presented to the Senate. Other Senators have discussed the issue, and have added much by way of information to the arguments which have been submitted against the amendment.

With all due respect to those who oppose the amendment, I wish to say that the creation of this committee, or its continuation, is as wholly inexcusable as any piece of legislation could be. It is true that we are asked to appropriate only \$500,000—a half million dollars—in order to continue the agency in existence for another year. Five hundred thousand dollars is not a large sum, but it seems to me that we have arrived at a time when every Member of this body should feel bound to ask himself whether he is justified in throwing away a half million dollars. At the very best it would be a waste of public moneys, because the Committee has done no good and will accomplish no good. It has created disturbances. We know that it is in existence, but its actual constructive contribution to the peace, happiness, and welfare of the people of this country is negligible. No one can put his hand upon any of the Committee's work and say that it has been a constructive contribution, either to the war effort or to the peace effort of the American people.

Mr. President, allow me to preface what I am about to say with the broad statement that I should be entirely ashamed of myself if I were willing to deny to any man, whether he be white or black, or of any national origin, full, fair, and equal compensation for work similarly performed. I should also be ashamed of myself if I were willing to deny to a woman equal compensation for equal and similar work done by her. In other words, I do not think there can be or should be any discrimination in the employment, or in the compensation, of men because of their race, creed, condition, or previous condition. The question is solely one of the competency of the workman. That statement applies as between men and women who are in competitive enterprise, and who are seeking employment anywhere within this Government, or anywhere within our society.

Allow me to ask this question: Do the conditions to which I have referred represent the objectives of this Committee? Was it organized for the purpose of procuring equal pay for the same work performed, without regard to race, color, or creed? That is the ostensible statement of the purposes of the Committee. Is it true? During the debate Senators heard statements made by those who fathered the Committee, those who promoted it, and those who fostered it. Those statements clearly showed that a far different purpose was involved in the establishment of the Committee.

During the past several years a number of somewhat similar legislative proposals have been made in this body. There were antilynching bills and anti-poll-tax bills. We have seen the Fair Practice Committee brought into existence by Executive order. Has the relationship between the Negro and his white fellow citizens in America improved during the past 10 years? Has it improved in the last 5 years? Where is there an honest man who can say on his conscience that racial relationships have improved as the result of the repeated effort here to legislate on different phases of the relationships existing between the Negro or other minorities and the white people of this country?

We have heard a great deal about the good-neighbor policy. I think the good-neighbor policy, properly interpreted, has been a great achievement of the present Secretary of State and of the President of the United States, but it would be a blessing if the good-neighbor policy could be translated and applied within these United States so as to establish the right relationship between business and Government and between all classes of our society.

Within the last 5 or 10 years a deeper schism has been driven into American life than during any comparable period in the history of this Republic. Deeper racial prejudices, deeper class prejudices, wider divisions of our people into classes have taken place before our eyes day by day, week by week, and month by month. There is no more certain way to destroy this Republic, there is no more certain way to destroy free government than to divide the American people into classes.

Has such a process been going on? Mr. President, you know and I know that it has. It is easy enough to say that it has not been going on, but it has been. It is not necessary to discuss the motive or the reason why it has been going on. There are in America today class divisions deeper than they have ever been before. Are we contributing anything to the permanency of this Republic or to American civilization by such a course as that? The legalization of the Fair Practice Committee is on a level with various other interferences with race and class relationships that have occurred in this body during the last several years. Either we will call a halt to that movement, or we will register the rapid downfall of free government in America.

I do not need to discuss with the Senate or in its hearing what has happened in every other country of the globe within the last 10 or 15 years; that is, any



country that laid any claim to anything like free government. In every one of them there can be noted the division of the people into classes; in every one of them there can be found the separation of the people into classes and groups, whether racial minorities or what not. There has been the same effort to divide into classes free peoples or those people struggling for freedom. Hitler is not the only man who has preached the doctrine of divide and conquer and destroy. Free government in America can be destroyed by dividing the people into classes. Not only can it be done, but we have made great progress toward the destruction of the homogeneity of the people of this country, which has meant so much for our liberty.

Has any antilynching bill, has any anti-poll-tax bill, has any fair-employment-practice bill promoted better race relationships in this country? To ask the question is to answer it. We can give away the \$500,000, throw away half a million dollars to continue a group of people in a useless office. But that is not half the story and it is not the bad part of the story.

Oh, it may be said, this Committee has not occasioned any trouble. It has not occasioned any trouble? When this Committee announced its purpose to open offices in Georgia in the city of Atlanta the mayor and council of that great city solemnly petitioned the President of the United States not to permit them to come there. Do you think, Mr. President, that the people of the city of Atlanta did not know what they were doing? Do you think there was not a reason for that official act? Are we going to set ourselves up here and say we know what is better for the people of Denver, of Atlanta, or St. Louis, or any other American city than the people of those cities know? If the American Congress does not cease the pernicious meddling into local and racial problems, a meddling that never can accomplish any good, there will be created far worse race relationships than now exist.

I am telling the Senate the truth, Mr. President. I am saying that the members of this Fair Practice Committee who have haunted these galleries like vultures to watch our action and to compel our votes to give them a half million dollars of money of the American taxpayer, have done nothing to promote better relations between the whites and the black people. Let me repeat, I would be ashamed of myself as an American citizen and as a Member of this body if I did not positively favor the payment of equal wages and salaries for equal work by whites and blacks alike, by men and women alike. But the Fair Practice Committee is not going to bring that about, and that is not its main purpose. Its main purpose is to attempt to establish something like social and economic equality.

Why do they tear down the partitions between lavatories, equal facilities for the whites and the blacks? Why do they remove partitions in the restaurants and cafes in every Government office and place of business in the country? Why, if the economic equality of the races is at stake, is that done?

The very fact that the Committee is more concerned about partitions in lavatories and facilities, forcing white men and white women and Negro men and Negro women to eat together shows that it is not the desire to obtain fair compensation for the Negroes for the same kind, quality, and character of work that is the primary motive and purpose of this Fair Practice Committee.

Mr. President, I am trying to state the facts as they are, and not theory. Think of responsible officials of a great city in the South, a city whose leaders have tried to promote proper relations between the Negroes and the whites, and have done fairly well with the job over a long period of time, who are experienced in handling the problems we have to face and have to handle, solemnly petitioning an agency of this Government and the President of the United States not to establish an office in the city of Atlanta.

Those are facts. They cannot be argued away, they cannot be rubbed out. And what happens? The Committee employs its great ability, its energies, in removing partitions between the facilities already erected for the accommodation and use of the whites and blacks alike.

If anyone desires to go to the trouble of examining some things which are going on now in America among the maritime laborers, among the crews on our merchant vessels, I think he would understand a little better what this proposal means. There must not be separate quarters in the ship, but all minorities and all races must live together in the ship. The ship is the home of the merchant seaman, it is where he eats, it is where he sleeps. It is his home as he sails the high seas. Yet the Fair Practice Committee stands guard above the ship, the home of the merchant seamen of America, and says, "You must sleep together in bunks one above the other. You cannot occupy separate quarters in your own home."

Will anyone tell me that is done for the economic betterment and improvement of the Negro race? There may be a political motive, but there is not behind it any real desire to obtain equal compensation for equal work, not at all. That is not the driving force back of it.

I do not know how long I shall remain a Member of the Senate; I have grown old in public service; but I say now to gentlemen on the other side of the aisle, that they will never advance the cause of America by lending their sympathy or their votes to anything that drives a wedge between groups of American citizens, or anything which attempts to regulate the intimate affairs of people in communities far removed from Washington.

Oh, but it is said the Fair Practice Committee is limited to activities within governmental agencies. Yes; under the Executive order, in a general way; but the Committee has been quick to declare its purpose to extend its jurisdiction into private enterprise. We do not have to resort to conjecture; we do not have to resort to speculation, to find out what the meaning back of the Fair Practice Committee and of this effort to retain

it is. If we go over to the other House, we find bills there now to create it as a permanent agency. The distinguished junior Senator from Connecticut [Mr. DANAHY], a Senator whose character and ability I hold in the highest esteem, left nothing to conjecture, nothing to supposition, nothing to speculation. When the pending amendment was first taken up for consideration, he offered here an amendment to put the Fair Practice Committee on a permanent basis.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. HOLMAN. A few minutes ago the distinguished Senator addressed his remarks to Members of the Senate on this side of the aisle. As one of the Senators on this side of the aisle I am very much in sympathy with the viewpoint the Senator is taking, but I do wish to remonstrate, and to say that the genesis of all this racial and class distinction originates in the White House, not on this side of the aisle.

Mr. GEORGE. I appreciate the Senator's personal attitude. I did not mean to exonerate this side of the aisle at all. With profound regret I am obliged to confess that many of these matters to which I have adverted had their origin on the Democratic side of the Chamber.

I was saying that we do not have to resort to speculation; we do not have to go to conjecture. One of the leading Members of the Senate offered an amendment—now happily withdrawn, but only temporarily withdrawn—to make permanent the Fair Practice Committee. What did he propose to do? I am not criticizing the Senator from Connecticut. I am merely saying that that is precisely the ultimate purpose back of the particular proposal now pending. He proposed to extend the jurisdiction of the Fair Practice Committee to every labor union which has five members, and to every employer engaged in interstate or foreign commerce, and under the elastic definition of the Supreme Court of the United States at this hour, that means everybody who is doing anything.

Did not the Supreme Court hold that the farmer in his field was engaged in interstate commerce if he was producing, not something to be shipped outside his State but something to be consumed within his State, because the consumption of the supply of the commodity or product within his State took something away from the general supply of that product in the United States?

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. McCLELLAN. Since the able Senator has referred to the amendment which, when the pending bill was first taken up, the Senator from Connecticut announced he intended to offer, which would make this Committee a permanent agency, that amendment being the bill now pending in the House of Representatives, I call the Senator's attention to section 2 of that amendment. According to my interpretation—and I wonder if the interpretation of section 2 by the Senator from Georgia is the same as mine—



if it were adopted and should become law we would have the Fair Employment Practice Committee set up permanently and it would have jurisdiction over the States of the Nation to tell them whom they should employ, whom they should promote, and whom they should discharge. My interpretation is that it would extend the jurisdiction that far. I ask the Senator from Georgia if that is not his interpretation of section 2 of the proposed amendment?

Mr. GEORGE. I am inclined to think that in certain instances at least it would be extended to a political subdivision, whether a State or a city, but I was not referring to that proposal for the purpose of discussing its merits or demerits. I was referring to it as positive proof of the ultimate purpose of those who favor the appropriation to continue the Fair Practice Committee, because already legislation has been offered to convert the Fair Practice Committee into a permanent agency of the Government.

Mr. REED. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. REED. I interrupt the distinguished Senator from Georgia, for whom I have a profound admiration, only for the purpose of keeping the record straight. I may remind the Senator from Georgia that the Supreme Court decision to which he referred not only held that goods consumed within the State went into interstate commerce, but that opinion went so far as to apply that finding to goods and agricultural commodities consumed on the farm where they were raised.

Mr. GEORGE. The Senator from Kansas is quite right. That was on the theory that they subtracted somewhat from the total supply, and did affect perhaps the flow of the product across State lines.

Mr. REED. And I may remind the Senator from Georgia that the Supreme Court which so held is a court, seven members of which belong to the party of the distinguished Senator from Georgia, and were named by the present occupant of the White House.

Mr. GEORGE. I believe the statement to be historically true, but I hold no brief for the Supreme Court as now constituted. I am saying very frankly that the ultimate purpose of those who drive to make the Fair Practice Committee a permanent agency of government is disclosed by the very legislation which they are offering in both Houses of the Congress at this time, and that purpose, unquestionably, as disclosed by the language which they have employed, is to give the Fair Practice Committee jurisdiction over every employer who engages and uses the services of five persons in any enterprise within any State in the Union, under the construction given to interstate commerce by the Supreme Court of the United States.

Mr. REED. Mr. President, will the Senator from Georgia permit me to interrupt him again?

Mr. GEORGE. Yes; I am glad to yield.

Mr. REED. I may say to the Senator from Georgia that if the doctrine laid down by the Supreme Court is followed

to its logical and ultimate conclusion, it will destroy every possible distinction between State and interstate commerce in this country, and result in absolute destruction of every form of local government.

Mr. GEORGE. I do not think there is any question about that; I have never been in disagreement with the distinguished Senator from Kansas on that point.

Mr. President, I do not want to repeat, and I do not want to delay the Senate unduly on this vote. So far as I know the Fair Practice Committee has not promoted better relations between whites and blacks anywhere in this country. The Fair Practice Committee has not confined itself nor has it directed its energies to the equalization of compensation for like work in point of quantity and quality by members of the different races or by minorities. I know that the agitation here and the things which have been said here have not promoted better feeling and harmony in the country. I know that they have done nothing to make us a better and stronger America. I know, Mr. President, that they will not.

But now I come to what I believe to be the most important part of this discussion. The motivating force back of the Fair Employment Practice Committee, of those who want to create it, of those who want to make it permanent, of those who want to use it, is to do what? It is to take one more important step toward the control of private industry, private business, big or little, in the United States.

What is ownership of business? Ownership of business consists of the exercise of certain rights and powers over business. What is ownership of property. It consists primarily of certain rights and power over the property, the power to handle it, the power to dispose of it, the power to control it. What do the bills which have been introduced to make the Fair Practice Committee permanent propose to do? They propose to say, not merely to the Government, not merely to Federal agencies, but in the field of private business that the employer cannot say whom he shall employ, whom he shall promote, or how long he wants the employee to work for him. What is that but communism? What is that but a long step toward communism, at least the stripping of the private owner of the elemental rights over his own property and over his own business? That is the serious aspect of this proposal. And some of the organizations back of the Fair Practice Committee are not at all disturbed or confused. They know precisely where they want to go and how to get there.

Mr. President, if the Fair Practice Committee should regulate the hiring and firing of people in Government agencies that would be a different story. If the business which they propose to regulate was a business affected with a public interest, that might be another story; but the legislative proposals to make it permanent do not distinguish between business affected with a public interest and purely private business, such as the operation of a small business college, the operation of a local telephone exchange,

or even the operations of a farm where the farmer employs more than five persons. Everything is included. The ultimate aim and the driving power behind the Fair Practice Committee is to strip owners of private rights in private property, and to convert the present economic system into a communistic or national socialistic system.

Mr. President, I am not trying to use nice language or pleasing words. I am trying to tell the truth. We have made great progress in the past few years toward national socialism or communism. This provision would be a major step toward the destruction of our present system of economy, a step toward the denial of the rights of property in the private holdings of the American citizen.

Many persons in this country believe that this proposal, if supported, will gain many votes in the November election. Perhaps it will. I would not say that it would not result in gaining votes in the November election; but I will say that it will not get many votes in the elections in 1946 or 1948, or thereafter, if America abandons the strong downward drift toward national socialism. I believe that the American people will abandon it. Mark my words.

The poor colored man, who is loved and respected by decent white men in the South, has been made a political football before. He has been promised many things before and he has received only crusts of bread. He can be made a political football again, and perhaps the proposal now before the Senate will get votes. Perhaps Members of Congress who vote to continue the Fair Practice Committee will add to the votes which they will receive in November; but it will not be for long, because the little American businessman, the little man who operates a small shop, the little man who operates a farm, the little man who has his herd of cattle on the western plains, every little merchant, every little manufacturer, every little miner, and the owner of every little private enterprise will have a fair practice committee, made up of God only knows whom, saying to him, "You cannot hire that man; you must employ this man. You cannot promote that man. You must promote the other man, because he belongs to a minority."

What is the essence of freedom in America? Under the American system of government, under the concept of our Constitution, and under the living language in the old Declaration of Independence, every man is the center of a circle in which he is supreme, so long as that circle does not infringe upon the like rights, privileges, powers, and prerogatives of his fellow citizens. In these latter days it is proposed to say, "Oh, no; you are not supreme with regard to your own little business. You may not hire and fire in your private business, in your store, or your meat market, if you employ five persons or more." Next year it will be three persons, two persons, or perhaps even one. We say to the little businessman, "You may not hire or fire. You may not control your own business enterprise. The Fair Practice Committee will tell you whom you may hire and whom



you may fire, what you may do with your own business, and how to manage and conduct it." That is denying the right of private property by taking away one of the elemental attributes of ownership of property.

There will be some who will say that southern Democrats—the term "southern Democrats" has become an odious term in many places and to many persons—ought not to be making such speeches as we have been making with regard to the Fair Practice Committee. Mr. President, the time has come when we in the South, who have had long, bitter, and painful experience in trying to solve our own problems, must insist upon the right to say, when it is proposed that the Federal Government invade a field which it ought never to attempt to invade, "That is going too far. We will be critical of it, and we will stubbornly resist it."

It is not the purpose of the Committee on Fair Employment Practice to see to it that a colored man in Georgia who receives \$5 for the same job for which a white man is paid \$10 is protected. Not at all. That is not it. If that is the purpose, why is it necessary to have a staff of carpenters to tear out the partitions which we, as a result of our painful experience, have found to be conducive to better and more stable relations between the races?

If the Senate were to say to the Committee on Fair Employment Practice, "This day we will vote not to continue an organization the avowed and announced purpose of which is to extend its intermeddling into the private business of the citizens, into business that never has been thought of as being affected with a public interest, but which is purely private," the Senate would render the Nation a great service.

I love my country. I would give my life for it. But this country cannot survive if the class hatreds, class distinctions, and class divisions which have made such remarkable progress in the past several years are hurried along to their final conclusion. Remember this: Long after I have left this desk, if America lives, it will because we will not be afraid of any organization; but will be willing to stand up and be counted against any proposal to do what this proposal is ultimately intended to do, to wit, communize America by taking away the elemental, primary rights of owners in the management and control of their private property, and vesting that authority in a Federal bureau in Washington. When Senators return home the businessmen in their States are not going to think they have done a very remarkable job by voting for this proposal. Do not think so for a moment. I have already conceded that it may affect the results in the November election. But the businessmen, from the farmers and merchants and sawmill operators and turpentine producers all the way up through the processors, large and small, are going to understand what this thing means. They know how far management has been liquidated and how far private control over business has been taken away. They know who is respon-

sible. It will not get anyone any votes after the November election.

Do Senators wish to liquidate management wholly? Do they wish to liquidate the private owner wholly? Do they wish to say to him, "I do not care what you think about it. We say whom you must hire, whom you must fire, and whom you must promote."

Do not let anyone argue with you that, "the bill does not go that far, and none of the proposals go that far." They do go just that far. Whenever a Federal instrumentality can say that an employer cannot refuse a certain man a job, they necessarily say that another man cannot have the job. If they say the employer cannot refuse promotion for a certain group, they necessarily say that the other group cannot have the promotion.

Treat the Negro right. Give him equal pay for equal work. Give the women equal pay for equal work. Do that in a proper way. Do not now take a long step in the liquidation of private property, in the liquidation of our economy, by saying that we will through Government, exercise the right and power to say who shall be employed in private business.

#### COMPENSATION FOR USEFUL SUGGESTIONS OR INVENTIONS BY INTERIOR DEPARTMENT PERSONNEL

The PRESIDING OFFICER (Mr. WILLIS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1232) to provide equitable compensation for useful suggestions or inventions by personnel of the Department of the Interior, which was, on page 2, line 8, after "public," to insert "Nothing in this act shall be taken or construed as amending or modifying the present patent and trade-mark laws as they now exist or may hereafter be amended."

Mr. HATCH. Mr. President, in explanation I may briefly say that the House amendment provides that nothing in the Senate bill shall be construed as repealing or modifying the patent or trade-mark laws. Nothing is contained in the bill which would do anything of that nature. Therefore, the House amendment would not change or affect the purpose or the meaning of the Senate bill. It would do no good and it would do no harm.

Mr. WHITE. Mr. President, the Senator from New Mexico was good enough to speak to me about the amendment, and I can see no objection to it.

Mr. HATCH. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia [Mr. RUSSELL], to strike out, on page 10, the paragraph relating to the F. E. P. C., being lines 3 to 16 of the bill, as amended.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Green	Reed
Ball	Guffey	Revercomb
Bankhead	Gurney	Robertson
Barkley	Hatch	Russell
Bilbo	Hill	Shipstead
Brewster	Holman	Stewart
Burton	Johnson, Colo.	Taft
Bushfield	Kilgore	Thomas, Okla.
Butler	Lucas	Thomas, Utah
Byrd	McClellan	Tunnell
Capper	McFarland	Tydings
Chavez	McKellar	Vandenberg
Connally	Maloney	Wagner
Cordon	Maybank	Wallgren
Danaher	Mead	Walsh, Mass.
Davis	Millikin	Walsh, N. J.
Eastland	Murdock	Weeks
Ellender	Murray	Wheeler
Ferguson	O'Mahoney	Wherry
George	Overton	White
Gerry	Pepper	Willis
Gillette	Radcliffe	

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum is present.

Mr. LUCAS. Mr. President, yesterday Hon. Edward J. Kelly, mayor of the city of Chicago, proclaimed June 25, 1944, as F. E. P. C. Day in that great metropolitan center.

Among other things, the proclamation called upon management and labor in all segments of the population to strive, out of respect to the members of the American fighting forces, to establish in factories and other places of business the principle of equality of opportunity to all races and creeds.

Mr. President, I concur in the noble sentiments expressed by the mayor of Chicago in his forthright proclamation. I submit that during a period when manpower bottlenecks are constantly impeding the war effort job discrimination is indefensible. The Senator from Illinois maintains that if industry is interested in finding the right men for the right jobs there must exist an equal opportunity for all, regardless of race, creed, color, or national origin.

In conclusion, I may say that at no time in the history of America has it been so necessary to carry on the fight for the principles to which I have referred as it is at this very moment while we battle the totalitarian forces around the world.

Mr. McCLELLAN. Mr. President, I have debated in my own mind the advisability of making any remarks regarding the pending amendment. Practically all phases of the issue raised by the proposed legislation have been substantially covered in very able addresses made by other Members of this body. Certainly, if the very forceful presentation made in the able addresses of the Senators from Georgia and in the addresses of other Senators who have spoken is not persuasive and cannot influence the Members of this body, I could neither hope nor expect by anything I might say to cause any Senator to change his opinion regarding this proposed legislation. But, Mr. President, I am unwilling to remain silent and let the permanent records of this body show that, in an



hour of danger to my country and to its Government and to every liberty guaranteed to the citizenship of this Nation and to the individual under the Constitution, I failed to rise and express myself in protest against legislation of this character.

Mr. President, it is not necessary to reiterate the discussion that has been had here regarding the practices of this Committee and the procedures it has pursued in the past as disclosed by the hearings; but I think someone ought to name this Committee for what it is. In the Executive order creating it, it is called a Fair Employment Practice Committee. That is a misnomer. It ought to be called the "Unfair Employment Practice Committee." I say that on its record. Whatever was intended to be accomplished by the creation of the thing in the beginning I do not know; but certainly the record of its conduct discloses the most flagrant example of race discrimination this Nation has ever witnessed. The very instrumentality that is given the name of being "fair" proceeds in the selection of its own personnel in a more discriminatory manner than any other agency of the Government, so far as I know, and more discriminatory than the the industries and businesses it expects to reform.

The statements I have heard made in justification of the action of this Committee in employing a far greater number of Negroes than whites to conduct its affairs, namely that it is because it gets most of its complaints from the Negroes is very significant to me.

Mr. President, every complaint that comes from the Negro is also a complaint against a white man. Yet their conception of being fair is to load the Committee and all of its divisions and its regional offices throughout the Nation with more colored employees than white employees, notwithstanding that the Negro population of the Nation is only about 10 percent of the total population.

Mr. President, let no one ever again refer to this Committee as fair. It is not fair; it is prejudiced. It is not useful; it is a public nuisance. It has no asset or value; it is a public liability to race relationships and unity here at home.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from Mississippi.

Mr. EASTLAND. The Senator referred to the discrimination against the white race by the F. E. P. C. Is it not a fact that in all the Government departments in the city of Washington the white race is discriminated against and that we have in fact today a Government of minority groups, who control this country, who control both major political parties, and who are trying to destroy our system of government and to communize the United States?

Mr. McCLELLAN. In answer to the able Senator from Mississippi, I would say that a good many of us are reluctantly coming to that conclusion.

Mr. EASTLAND. In other words, a white person, a member of the Caucasian race is today discriminated against,

imposed on, and humiliated in the Government departments in the city of Washington.

Mr. McCLELLAN. Mr. President, I am not familiar with the personnel of all the governmental agencies, but I do say that when in any governmental agency white women and Negro women are compelled to sit side by side, to use the same toilet facilities, to use the same accommodations, and are compelled to such association even to the extent of eating at the same table, it is an encroachment upon the constitutional liberty of both the races when they desire or when either desires to be segregated.

Mr. EASTLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from Arkansas yield further to the Senator from Mississippi?

Mr. McCLELLAN. I yield.

Mr. EASTLAND. The conditions the distinguished Senator from Arkansas mentions of course are obnoxious to white people, but is it not much worse that white girls should be forced to work and take dictation from a group of burr-headed Negroes and Negro supervisors in the departments?

Mr. McCLELLAN. It would be exceedingly bad if my daughter were requested to do it, but I do not think she will ever have to.

Mr. President, after all, personal liberty if it has any meaning at all, gives a man the right of choice—the choice of association, the choice of affiliation in organizations, the choice of places to work, the choice of political opinions and convictions. Liberty grants the choice to pursue happiness according to the dictates of conscience.

Yesterday when I heard an able Senator, in discussing this matter, refer to the Declaration of Independence, to the unalienable rights guaranteed to the individual, to the right of life, liberty, and the pursuit of happiness, I could not help wondering, since when was it not the right for the individual citizen in a government of free men to make a choice of who his associates shall be, or since when has it ceased to be an unalienable right of American employers to choose who shall work for him, who is entitled to promotion, who is worth what he pays for the services rendered to him?

Mr. President, in these unalienable rights there are reciprocal benefits and reciprocal privileges. The right to work, the right to seek work, the right to contract for wages, and the right to strive for merited promotion, are among the unalienable rights referred to in the Declaration of Independence. But there is also involved and embraced the right and privilege of the other party to make a decision as to whom he shall employ, what the services are worth, and when the employee is entitled to promotion.

It was stated here yesterday by the able Senator from New York that we should be consistent as we vote on this proposal. He pointed out that Congress has approved other agencies created by Executive order, and has made appropriations to finance the carrying on of

their duties. I intend to remain consistent, and I desire to call the attention of my colleagues now to the fact that if they intend to remain consistent, if they intend to vote for the pending appropriation and expect to remain consistent, then in a few days, or at some date not far in the future, we are going to be asked to consider one of these bills, particularly House bill 3986, which the Senator from Connecticut a few days ago gave notice he intended to offer as an amendment to the pending bill.

Mr. President, the able Senator from Georgia, who preceded me, pointed out that such permanent legislation was going to be sought. Those who vote for this appropriation in my judgment place themselves under a measure of obligation to consider favorably and to vote for permanent legislation of this character.

It is definitely shown by the hearings, by the testimony of the Chairman, and of members of the Committee now under discussion, that it is their intent to carry this authority far beyond anything connected with the war effort. They do not intend that this operation shall be only temporary. The objective is not merely to aid the war effort. That is not what is involved here, and I say, Mr. President, there has not been enough trouble in the way of discrimination in the Nation anywhere in the war effort, because of the shortage of manpower, to justify the existence of any such agency, and there will not be in the future.

Let us see if we are to go all the way with this proposal. I intend to remain consistent. I shall vote against the proposal now, tomorrow, and every other time this measure or any other bill comes before the Senate which in my judgment is unconstitutional. But waving that aside, assuming it to be constitutional, any bill which I think seeks to destroy the liberty to which every man is entitled I shall oppose.

I am not particularly concerned about business, any more than I am concerned about the laboring man or about the farmer, but I do want the farmer to have the right to employ whom he desires to employ, I want the businessman to have the right to employ whom he wishes to employ. I want him to retain the right of judgment and decision as to who merits promotion. Do Senators desire to surrender that right? Are they ready today to abolish that right and let this agency, or any other agency so constituted and having like authority, whether by Presidential order or directive, or through permanent legislation, say to them as United States Senators what the color of their employees shall be, which one they will make their secretary, which one shall be a clerk? Are you ready to go that far? Do you want this Committee to tell you, Mr. Senator, you must employ a Negro secretary? Are Senators ready to have the Federal Government say to their States, and to the taxpayers of their States, "As you tax your people and as you collect the money, we set up an agency in Washington, D. C., to tell you whom you shall employ in your State government to administer the business of State government?"



While the able Senator from Georgia was discussing this matter, I asked for his interpretation of section 2 of House bill 3986, which is intended to be made permanent legislation if its enactment can be brought about. I wish to call attention to this, not that it is the pending measure, but it casts a shadow of approaching events. It is an indication to us, it is a warning to everyone as we vote on the proposed appropriation, as to what is yet to come.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MAYBANK. Has the Senator had an opportunity to read the section referring to Government employees in the Territories, in the agencies connected with the Federal Government?

Mr. McCLELLAN. I have read the bill, and I shall read the section to which the Senator from South Carolina refers.

Mr. MAYBANK. I should like to have the Senator's comment on that section.

Mr. McCLELLAN. I shall show what the effects of the proposed legislation would be. Of course, it is said, "We are not considering it now. We can amend it and revise it." Of course we can, but the safest thing to do is to act now. If we kill this appropriation, we will not have to deal with permanent legislation on this subject. We can end the matter now.

Let me point out what is proposed. First I shall read section 1:

The Congress finds—

Are Senators ready to make a finding; are they ready to sit in judgment?

The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foment domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production and defense, and burdens, hinders, and obstructs commerce.

Are we ready to make that decision here and now? As has been ably stated by the senior Senator from Georgia today, whenever a measure is introduced which undertakes to deal with this problem it causes greater dissension, greater unrest, and greater disturbance between the races. Such legislation serves to agitate and breed race troubles. If this matter was left alone, if our people were allowed to have their liberty and to exercise it, we would not have the tenseness which today exists over the racial question. The question will solve itself if left alone. The intelligent peoples of both races will be able to work to a solution.

Let me remind Senators that when an effort is made to inject into the discussion of racial problems or into proposed legislation the issue which some are now trying to inject, when an effort is made to legislate so as to compel—and that is what they are leading to and this is the beginning of the drive to compel the intermingling of the races, to compel amalgamation of the races, you are going to destroy something mighty fine in this country, and the day will come when you will regret the action. I do not think,

however, it is going to happen. I think Americans will wake up in time, and when we get past this approaching campaign in which some few individuals hope to gain political advantage by reason of this sort of legislation, I think we will take a more sober view of the question, and that our better judgment will prevail.

Mr. President, I read further from the bill that is intended to make the committee a permanent one by legislation. I read from House bill 3986:

It is hereby declared to be the policy of the United States to eliminate such discrimination in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

And it is set forth aplenty. Listen to section 2. The section does not miss anyone except an employer who employs less than five individuals. It covers the whole field. I read section 2:

SEC. 2. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity of all citizens of the United States which shall not be abridged by any State or by an instrumentality or creature of any State.

Listen to this language:

Which shall not be abridged by any State or by an instrumentality or creature of any State.

What about an agency of State government, Mr. President? It is proposed that we pass a law which would say that the sovereign States of this Nation cannot have any policy with respect to whom they shall employ and whom they shall promote and whom they shall discharge unless it comes under the jurisdiction and subject to the final decision of the Fair Employment Practice Committee created by the Congress of the United States. Are we ready to set up and create agencies of that character to pass judgment on the activities of the States? It can be said, and sometimes it can be justified, that when the Federal Government is making an appropriation or contributing part of the cost to any activity carried on by a State, then it is appropriate for the Government to have something to say about it. But the proposed legislation goes beyond that. The State itself could not employ anyone if the Committee decided such employment was unfair or discriminated in any way, it would have the power to issue orders against the States.

The Senator from South Carolina asked a question concerning another section of the bill. I think he referred to subsection (c) of section 4, and I now read it:

(c) This act shall apply to the employment practices in the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (3) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States; but in any such case the Fair Employment Practice Committee established by section 5 of this act may petition the Attorney General of the United States for the enforcement of such order, and it shall thereupon be the

duty of the Attorney General to take such measures as may secure obedience to any such order. Every official who willfully violates any such order shall be summarily discharged from the Government employ.

Section 4 (a) and (b) of the bill, referring to the scope of it, is as follows:

SEC. 4. (a) This act shall apply to any employer having in his employ more than five persons, who is (1) engaged in interstate or foreign commerce; (2) under contract with the United States or any agency thereof; or (3) performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party.

(b) This act shall apply to any labor union which has five or more members in the employ of one or more employers covered by the preceding paragraph.

Mr. President, when did a citizen of our country lose his right to determine which society he shall join, which organization he shall affiliate with, and whether he may choose to keep that organization confined to those possessing certain qualities or certain qualifications of eligibility? Are we ready in this country to take the position that white people can no longer have a society or an organization of their own? Are we ready to surrender and throw away the right to keep segregated, if we want segregation? I have no dislike, I have no hatred, and no prejudice against the Negro race. We have lots of Negroes in my State. I have never had any cause to build up a feeling of hatred or resentment against the Negro. But, Mr. President, I do claim the right for myself, and I want that right retained for my people, for my State, and for my family, to organize into a society, if we may, or to have churches if we may, or to have schools if we may, for white people only, and to give the same rights to Negroes.

If the bill to which I refer should pass in its present form, Mr. President, this Unfair Practice Committee in Washington could tell the school boards of my State that they must, if employing more than five teachers, employ at least one Negro, or two Negroes, as the case may be. If it can do that, Mr. President, it will not only be an encroachment upon the rights of the States, but it will be one of the most damnable things that ever happened to this country, and I am speaking mildly of it when I use that term.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. EASTLAND. The distinguished Senator from Arkansas stated that he thought the white people should be permitted to have an organization of their own. I quite agree with the distinguished Senator in that statement.

The Senator further stated that he had no prejudice against any race. Again I agree with the Senator from Arkansas. I have no prejudice in my heart against any man because of his race, creed, or color. But, Mr. President, I go further than does the distinguished Senator from Arkansas. I am of the opinion that we should have segregation in all the States of the United States by



law. What the people of this country must realize is that the white race is a superior race, and the Negro race is an inferior race. Social equality is growing in this country, and in addition to teaching the white race the importance of racial purity, we must prevent racial intermingling by law.

Mr. McCLELLAN. I thank the Senator from Mississippi. It is not necessary to establish the fact that the white race is a superior race. That is not the question. Every right I claim for the white race, every right I claim for my own people, I gladly and willingly accord to the Negro race. I think the Negro, as well as the white man, should have the right to have his own church and his own school, and to exclude others if he so desires. Can we not do that in this country and be left alone? Why this agitation?

The truth is that the freedom and constitutional rights of the people of America are being sold down the river for a mess of political pottage. That is what is happening. Somebody will rue this day. By such legislation they are heading this Government toward communism. We cannot keep freedom if we continually grant authority to some board to regulate the inalienable rights of the people themselves, rights which the people have retained; they have not delegated the power to the President of the United States or to the Congress to change or abolish.

This is serious. It does not involve merely an appropriation of \$500,000. No one would ever miss that. The public debt will be so great that \$500,000 will not be worth mentioning in comparison. But, Mr. President, we can destroy the liberties of the people by the appropriation of far less money, or without the appropriation of a dollar.

Under the Executive order of the President, the Committee on Fair Employment Practice is authorized to accept the services of volunteer workers. To begin with, those who volunteer for such service are usually prejudiced. They have a motive. They volunteer their services with designs. They try to find a victim for the Committee on Fair Employment Practice to harass and intimidate. Let no one say that this Committee does not intimidate. We are in the midst of a war. Everyone knows that the Chief Executive has been given by the Congress greater powers than any other President was ever given in the history of this Nation. The people know, from the operations of agencies which the Congress has authorized, the strength of the Government, and its power to invoke sanctions and reprisals when directives and Executive orders are not obeyed.

Imagine one of the volunteers going out to investigate a situation. He would say, "If you do not do as you are directed, we will make certain recommendations." That is what is being done today. There is a veiled threat and intimidation. The one whose activities are under investigation is told, "If you do not do what the Committee in Washington decides is fair and nondiscriminatory, we will make a recommendation to the War Manpower Commission." In the Executive order the Committee is directed to make such recommendations,

What is the effect of such recommendations? What sort of recommendation would be made to the War Manpower Commission? The Committee would recommend to the War Manpower Commission that the employer be sent no more employees. The War Manpower Commission would send an order to the United States Employment Service, and the employer would get no more employees.

A representative of the Committee might go to the War Production Board and say, "This man has a Negro working for him, but he will not promote him. We have decided that that Negro ought to be promoted. So, until he promotes him, we recommend that you take away the employer's priorities. We will compel him to do it." The man in business is helpless. A man against whom that sort of a recommendation is made, and against whom a Government agency operates in that fashion, is defenseless. He must either submit or cease operations.

When the able Senator from New York [Mr. MEAD] was discussing this question yesterday I asked him what the effect of the Executive order was. When the directive was issued by the President creating this Committee, the Comptroller General ruled that the order was directive and not mandatory. That was his interpretation of it, and he wrote an opinion to that effect. Then what occurred? The Attorney General took the question up with the President of the United States, who wrote a letter in reply stating that the order was mandatory. With that letter from the President of the United States staring every Government agency in the face, when this Committee recommends to any other agency that it take certain steps against one of its victims who, in the opinion of the Committee, is discriminating or failing to obey some of its orders or mandates, that recommendation becomes mandatory, and the other Government agencies must carry it out.

That is the way this Committee is now operating. It is operating by intimidation, coercion, and threat. Such fear is instilled into employers that it is said that many complaints are adjusted before they reach the Committee. That is possibly true, because of the threats which are made. Any small businessman knows that he must yield or suffer the consequences of injury.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from South Carolina.

Mr. MAYBANK. I hesitate to interrupt the distinguished Senator because I am enjoying very much his most excellent remarks on private employment and intimidation by the Committee on Fair Employment Practice. With his permission, I should like to read a portion of House bill 3986, which it is hoped will eventually be enacted into law. This language relates to violation of the law by any Government official, agency, or instrumentality thereof. It reads as follows:

But in any such case the Fair Employment Practice Commission established by section 5 of this act may petition the Attorney General

of the United States for the enforcement of such order, and it shall thereupon be the duty of the Attorney General to take such measures as may secure obedience to any such order. Every official who willfully violates any such order shall be summarily discharged from the Government employ.

I should like to ask the distinguished Senator from Arkansas if he will comment a little more on the details of the legal complications of this section.

Mr. McCLELLAN. Mr. President, I will say to the Senator from South Carolina that I have already commented on that. Possibly he was temporarily absent from the Chamber at the time. I have expressed my belief that this legislation, with this section in it, together with others I have read, simply sets up a dictatorship committee in Washington to control the affairs of business throughout this Nation.

Mr. President, we have either one or another of two things: Either we have free private enterprise or we have a totalitarian government. Make no mistake about that. People talk about the sacredness of property, and say we stress that to the extent of magnifying property rights above human rights.

Let me tell you that they are equal; they are the same. We cannot destroy property rights without destroying human rights—the right to the pursuit of happiness, the right to life, the right to liberty. We cannot take men's property away from them, except by due process of law, without destroying human rights. There is no country in the world today, there never has been, and there never will be, in which men who are denied the right of ownership and enjoyment in the use of property are not also denied the liberties of which we of America have boasted and been proud.

Mr. President, I know there are those who are ready to say and who will say—in fact, I would not be surprised to read such statements in some publication tomorrow—that I have made a pro-Fascist speech today in the Senate. But let me say to you that if what I am trying to defend and what the able Senators from Georgia and other Senators have been trying to defend on this floor, in connection with this fight, is fascism, it has been fascism ever since the days of the Declaration of Independence, and those who wrote that document were Fascist. If that is fascism, then make the most of it. I do not care what smear terms some publications may use. I shall not be deterred in doing my duty to my country because some Communist wants to becloud the issue by yelling fascism.

But I say to you, Mr. President, it is not fascism. However, the very thing being done here in the attempt to take away the liberties of our people, liberties guaranteed to them under the Constitution, is a long step in the direction of dictatorship and fascism.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MURDOCK. I am sure the Senator does not imply that any of his colleagues sitting here listening to his very eloquent speech would classify it as a pro-Fascist speech or anything of that kind.



Mr. McCLELLAN. I do not think the Senator is justified in inferring such from my remarks, because in my statement I especially referred to some publications.

Mr. MURDOCK. I am very glad to have the Senator make that statement. I may disagree with the Senator, as I frequently do; but I always accord him credit for the sincerity which I am sure he accords me. If I did not have the greatest respect and admiration for the able Senator in the presentation of his views, I would not sit here as I do.

Mr. McCLELLAN. The Senator simply failed to hear me say that I would not be surprised if certain publications would charge, tomorrow, that I had made a pro-Fascist speech today. Of course, I know the Senator. I served with him in the House of Representatives, and I have served with him here. Although we sometimes disagree on legislation we always are respectful to each other.

Mr. President, in this connection I say that I wish to see the Negroes, the Jews, the Mexicans, and people of any other races which might be considered have the same rights and the same equal opportunities that I have and you have. But in doing that I do not wish to be compelled to surrender the right of liberty which is mine. It is not necessary that I surrender that right. By legislation of this character an attempt is being made to destroy a multitude of privileges, rights, and liberties of the American people, in order to grant one little benefit here and there, as some may think, to some Negro, or to someone else who has not been promoted as fast as this Committee may think he should have been. But, in my judgment, that is simply straining at a gnat and swallowing a camel.

I say to the Senate that legislation of this sort is destroying America. America has had something to be proud of. All the liberties we have enjoyed have made their contribution to the building of the greatest country in the world. Think of this war. Where would the cause of freedom be if it were not for America? It would already be trailing in the dust and in defeat. No one would dare deny that. Why has America been of such great aid to the cause of freedom in this war? It is because of her power, because of her productive capacity.

What gave us that productive capacity? It was not legislation of this character. Such legislation never on earth would make a contribution to the power and productive capacity of America. We never before have had such legislation.

What gave America her power and productive capacity? They came about as a result of the right of men in America to be free, to have the right of choice, the right of decision, the right of free, untrammelled, uncoerced judgment, the right to pursue life and liberty as we choose.

Legislation of the character proposed will destroy some of those rights and privileges. It will harm America. The young men who today are giving their lives on the fields of battle are not dying to preserve America so that it can be made over again. They are not dying

for that reason. Any man, no matter who he may be—I do not care whether he is a United States Senator, President of the United States, a member of an unfair practice committee, or the head of any organization—who attempts to take advantage of the war in order to try to drive through these harmful policies, who attempts to force such legislation at this time, in the name of the war, in my humble judgment does a disservice to and commits injury to those who are fighting on the fields of battle.

We all know there is room for improvement in many respects. But if reform is needed so badly, let me state whom I wish to see have a part in it. I want to see the boys who are saving this country have something to say about it. Let us put off these wild schemes of reform and so-called social gains until they get back home. Then let us see if those who have faced the shot and shell, those who have seen their buddies die in battle, want to change America.

I am not going to change it and take the responsibility for trying to reform and make over this Government while they are dying to preserve it. They love it well enough now, as it is, and as it has been. They go beyond the call of duty hour after hour, and give their lives for something that is precious to them; namely, their way of life. Are we going to change it while they are away? Does any Senator wish to tell them when they come home that if he employs more than five persons he must come to Washington and get a Negro to sanction and approve his employment policies. I am not going to vote to turn this country over to the Negroes, who are less than 10 percent of our population nor to Communists.

I have never had any trouble with the Negroes. I have represented them in the courts, and I have prosecuted them in the courts. I have seen a white jury turn a Negro defendant loose, and convict a white man as an accessory, because they gave the colored man the benefit of the doubt that possibly he was influenced by the white man who should have protected him.

No condition exists in my State, Mr. President, which would warrant this unjust encroachment on my people. It cannot be justified.

I conclude with the statement that in order to be consistent, Senators who will vote for this appropriation should vote for permanent legislation of this character. No condition has been shown to exist which would justify the proposal merely as a war measure. If Senators vote to appropriate money to continue the activities of the present Committee, which seeks to expand its jurisdiction and tenure of life beyond what it possesses today under an Executive order, in order to be consistent, they should vote for legislation making the Committee permanent. I shall remain consistent and vote against this and any similar measure. Other measures of this nature may be proposed in the future, and I may not be able to learn of them in time to inform myself of their consequences if enacted into law. But I shall vote against this measure and against

every other measure, Mr. President, which undertakes to sabotage the Constitution, and destroy the liberty of our citizens. That is what the proposed measure would do, and that is what it is designed to do. In its ultimate consequences and goal, the hope and ambition of its sponsors is eventually to force an amalgamation of the races. That is the goal toward which it is headed. We are asked to take a step in that direction, and if we take one step we will later take another, and go on down the road. The conditions which will result in America will not be wholesome or healthy for black or white, North or South, East or West.

Today is the day on which a final vote will be taken on the amendment. This is D-day and the H-hour for us.

We must make the decision as to whether we are ready now to give our sanction to the procedure and unfair practice which is now being followed in our Government. Mr. President, I shall vote to strike the appropriation for this Committee from the bill.

**THE PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Georgia [Mr. RUSSELL] to strike out lines 3 to 16, inclusive, as amended, on page 10 of the bill.

Mr. HILL. Mr. President, the proposed amendment of the Senator from Georgia [Mr. RUSSELL] has been extensively debated, but I do not wish a vote to be taken upon the amendment before I speak briefly in urging its adoption.

I am opposed to the Committee on Fair Employment Practice. In the first place, we all know that its establishment was never authorized by the Congress of the United States. The Congress not only never authorized or established the Committee, but it never had any intention that any money appropriated out of the Federal Treasury should be used for the operation or maintenance of such an agency of the Government as the Committee on Fair Employment Practice.

On previous occasions no opposition was voiced to the appropriations, out of which funds were used by this agency, because no Senator ever dreamed that any part of such funds would be used for the establishment of such an agency as this Committee. Congress in no way ever gave consent or approval to the establishment of this particular agency. It has no foundation in law. There is no basis for it in any statute, and the powers of the agency are indefinite. No limit has been placed upon its powers. From a reading of the testimony before the House and Senate Committees on Appropriations it would seem that the members of the Committee on Fair Employment Practice have arrogated unto themselves unlimited power, and believe that they can do anything which they desire to do under the Executive order bringing the Committee into being.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MURDOCK. Does the Senator take the position that in the creation of this Committee the President of the



United States acted unlawfully, and without a basis in law?

Mr. HILL. I certainly take the position that he had no power to establish the Committee, and that the Committee now has no lawful place in our Government. The Senator knows that the way in which the Committee should have been established was by the enactment of a statute by the Congress of the United States. I know of nothing in the War Powers Act which in any way comprehended, anticipated, or looked toward the creation of such an agency as the Committee on Fair Employment Practice.

Mr. MURDOCK. Mr. President, will the Senator further yield to me?

Mr. HILL. Of course, I realize that the President could create a committee under the War Powers Act, but he has no power to delegate to it such powers as have been exercised by this Committee.

Mr. MURDOCK. The thing which is so astounding to me is that Senators take the position on this floor that the President of the United States acted unlawfully in the establishment and creation of this Committee. I have no quarrel with statements which have been made in criticism of the actions of the Committee. But when Senators rise on the floor of the Senate in time of war such as now and when by a declaration of war Congress has placed upon the President of the United States as Commander in Chief of the Army and Navy the responsibility of prosecuting the war to a successful conclusion, and take the position that the President has acted unlawfully in the creation of this Committee more effectively to mobilize the manpower of the country, I am unable to understand their attitude.

Before they make a declaration on the floor of the Senate that the President has acted unlawfully in this matter I ask Senators to examine the grant of power under the Constitution to the executive department and compare it to the grant of power to the legislative department. What will they find? They will find that the grant of executive power is substantially in the following language: "The executive power shall be vested in a President of the United States." That is very broad and comprehensive language.

Mr. HILL. Mr. President, I do not wish to interrupt the Senator. I wish to yield to him for a question, but not for a speech. When I shall have finished my remarks, which will not be very lengthy, the Senator may make a speech.

Mr. MURDOCK. I wish merely to say that we must look to the Constitution as well as to statutory law in determining the powers of the Executive. Now as to the grant of legislative power in the Constitution we find it to be in most restrictive language, to wit: "All legislative powers herein granted should be vested in a Congress of the United States." I call particularly to the Senator's attention the words "herein granted."

In my opinion especially in time of war, this distinction between those two grants of power under the Constitution, should be taken cognizance of in the debate. To me in a national emergency

and crisis such as this when the President has devolved upon him the very preservation of the Nation Congress should proceed very cautiously in denying or curtailing his functions and powers.

Mr. HILL. Mr. President, in war or not in war, the President has power only which the Constitution gives him, and which the Congress by the enactment of statutory legislation gives to him. I know of no provision of the Constitution of the United States which gives to the President the power to set up this Committee and to attempt to give to the Committee the authority which it is now seeking to exercise. I know of no provision in any statute passed by the Congress which gives such power to the President of the United States. There are definite inhibitions and definite limitations on the power of the President in time of war as well as in time of peace. As I have said, the only power the President can exercise is the power that is given to him by the Constitution or by statutes passed by the Congress.

Mr. President, if the Fair Employment Practice Committee had been created by an act of Congress, as it should have been, if it was going to be set up at all no doubt its powers would have been defined; no doubt there would have been some limit on the field within which the Committee could act. But, as the matter now stands, the power of the Committee is not defined, there is no limit on its power, no inhibition established. As I have said, the Committee seems to arrogate unto itself whatever power it sees fit to take.

Furthermore, Mr. President, there lies no appeal from a decision by the Committee. This question has been discussed by other Members of the Senate; but if there is any one thing that is fundamental in our American system of government it is the right of appeal, and if there is any one case where such right should exist and be safeguarded, it is where the powers sought to be exercised are not clearly defined. In this instance we find an agency seeking to exercise power which is in no way defined and from the decisions of which there is no right of appeal.

This Committee was established, Mr. President, on the basis that it would help promote the war effort. Instead of helping the war effort, certainly, so far as the section of the country from which I come is concerned, it has proved definitely harmful. It has caused irritation; it has bred resentments; it has created bitterness. Instead of making for unity, instead of making for all-out effort on the part of our people, it has divided them. That which should be our first consideration is the war effort, the production of the things needed for the war effort, the production of iron and steel, of aluminum, of sulfur, and all the other many materials which go into the implements our soldiers across the seas need and must have for the winning of this war. Our first thought should be the production of the guns, the tanks, the planes, and other implements of warfare. If they are to be produced in the best possible way, in the most effi-

cient way, and in the shortest possible time, then we must have team play—the best possible team play, the best possible cooperation and harmony among those charged with the responsibility of carrying on the work of production.

Mr. GILLETTE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. HILL. I yield.

Mr. GILLETTE. I ask the Senator to yield because I wish to refer to an interruption that came from the Senator from Utah [Mr. MURDOCK] when he mentioned the provision of the Constitution which reposed the legislative power in the Congress and referred to the phrase "the legislative power herein granted." I hope the Senator from Alabama will bear with me while I refer to the section of the Constitution referring to "legislative power herein granted." It is section 8, article I of the Constitution, and reads:

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers—

Which are listed—

and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

That is the legislative power.

Mr. HILL. I want to thank the Senator for his contribution. The language of the Constitution is clear, specific, and definite; there can be no question about the fact that the Congress alone can legislate, and that the President cannot, because he happens to be the Chief Executive, create agencies and set up instrumentalities of the Government except as he is authorized to do so by the Congress of the United States. There can be no question about that.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Utah.

Mr. MURDOCK. Does the Senator take the position that the war powers of the President come exclusively and must come exclusively from statutory law?

Mr. HILL. They come either from the Constitution of the United States or from the statutes. The President has no power at all except the power which may be given him by the Constitution or by statutes passed by the Congress.

Mr. MURDOCK. That is the point I desired to make in calling the matter to the attention of the Senate. Inasmuch as the able Senator from Iowa, as I understand him, has taken some issue with the statement I made, will the Senator from Alabama yield to me to read from a decision by Chief Justice Taft on this very question? It is very brief and right to the point.

Mr. HILL. How late is the decision? I imagine the decision is 20 years old and it may have been set aside by this time. However, I yield; I want to be courteous to my friend, the Senator from Utah.



Mr. MURDOCK. In my opinion, the part of the decision which I shall read is very pertinent to the present discussion. I quote from the decision in *Myers* versus the United States, written by Chief Justice Taft:

The difference between the grant of legislative power under Article I to Congress, which is limited to powers therein enumerated, and the more general grant of the executive power to the President under Article II, is significant.

That is the language of Chief Justice Taft in the *Myers* case. That is the point I want to make when Senators challenge a right of the President such as he has exercised in the creation of this Committee in time of war when we have devolved upon him the responsibility of carrying it on to successful conclusion. My point is that before we accuse him of acting unlawfully in setting up, as he has done in this case, a committee for the better mobilization of the manpower of the country, we must have in mind not only the constitutional grant of power to the Executive but also any statutory law that may be enacted to implement the broad grant of executive power in the Constitution. I thank the Senator for his courtesy.

Mr. HILL. I cannot agree with the distinguished Senator from Utah. I know of no grant either in the Constitution or in the statutes giving to the President the power to set up such an agency as the Fair Employment Practice Committee.

Mr. President, as I stated, our first consideration at this time, our paramount consideration, should be to do that which will contribute most to our war effort. As I have said on many occasions, it will not be enough to win the war; we must win it in the shortest possible time, and save every life we possibly can.

Time and again we have been reminded by those responsible for our war production and by those responsible for our military operations that our battle front rests squarely on the home front, that what we can do in carrying war to our enemies and in bringing about their destruction and their defeat depends upon what we do here on the home front, how well we supply our men, with what rapidity we send them the implements of warfare which they must have in order to do the job assigned them.

Mr. President, as I have said, this agency, instead of contributing to the war effort, instead of being helpful to it, instead of stimulating it, instead of doing something constructive for the war effort, brings about the irritations, the resentments, the bitterness to which I have referred, and therefore it has proved definitely harmful to our war effort. As an agency harmful to the war effort, as an agency breeding discontent and resentment among our people I hope the Congress will not put an end to it, refuse this appropriation and let us be done with a bad committee.

Mr. CONNALLY. Mr. President, I shall detain the Senate for only a few moments. The pending amendment has been very thoroughly debated, and I

know it would be difficult to add anything to the information of the Senate on the subject. I shall vote against the provision providing for the F. E. P. C.

Mr. President, it seems to me that the very spirit of this provision is wholly out of line with what we have always heretofore conceived to be the relation as between our people with respect to matters of employment. It is said the desire is to prevent discrimination. After all, who is to decide whether discrimination is being practiced—this agency, or the man who does the employing, whose money is used to pay for the employment, and who is to be served by the particular character of the services of the employee? Or is the question of discrimination to be determined by some outsider, some governmental functionary on a Government salary? How is he better advised as to the qualifications of a particular applicant to fit the requirements of the position which he seeks, than the man who owns the business, the man who offers the position, the man who wants the services of the employee in a business with which he is entirely familiar?

It seems to me that the freedom and the liberty of action of the employer is as much to be consulted as that of the employee. My own experience is that the best way to instill confidence as between the employee and the employer is to let these forces have their natural play, and not have an employee who feels that his tenure is not dependent upon his employer, but is dependent upon the exercise of some governmental force or some governmental compulsion to put him and keep him in his job.

Mr. President, the experience of every Government department, and of Senators and others, shows that if we employ someone under pressure from outside sources, the relationship between us and the employees is never good. The employee feels that he can go around us, and may appeal to some higher authority.

Like most governmental agencies, the agency here concerned wants to spread its jurisdiction. In my own State of Texas the F. E. P. C. had an experience which I shall briefly call to the attention of the Senate. The *Dallas News*, one of the great newspapers of the State, inserted in one of its advertising columns an advertisement that the newspaper itself wanted an employee, a colored man, for some sort of work in the press room, folding papers, or something of the kind. The F. E. P. C. communicated with the *Dallas News* and, on the ground that the newspaper was discriminating, said, "You cannot use that kind of an advertisement. You cannot specify whether you want colored or white." Probably they kept some good colored man out of a job for which he was suited.

The *Dallas News* resisted, and such a hubbub was created over the incident that the Committee finally withdrew its interference, and admitted that it was in error and that a newspaper was not such an essential industry in the war situation as to justify invoking the jurisdiction of the F. E. P. C. So it withdrew. But it did not want to withdraw. It wanted to stretch its jurisdiction into

every avenue of life and of industry. It wanted to exercise governmental compulsion and governmental power as to the employment terms affecting everyone, everywhere, in every industry throughout the land.

Mr. President, I am not so much concerned about discrimination on the color line. We in the South have never discriminated against the colored race as to employment. There are certain types of employment for which they are superior, and for which we would prefer them to white employees. On the other hand, there are other kinds of employment in which we prefer the whites. If we leave the matter to the employees and to the employers themselves, we will never have serious difficulty in the South. But if we intrude the arm of the Government, the mailed fist, into these relationships, we shall breed dissension, we shall breed trouble.

I wish to say to some of those who today wear the cloak of purity, and express high interest in others, that by the enactment of legislation of the character now proposed they are going to cause the very thing they are pretending to want to prevent.

Mr. President, I know of no law of Congress which ever authorized the establishment of the organization under discussion. I wrote to a man in my State in April, before all the disturbance and noise about this matter arose, that I knew of no law authorizing the establishment of the agency. He wanted my advice; he did not follow it after he got it, but he wanted it. I told him that if I were in his position I would go right on running my business as I always had, and would ignore this concern. But under the threat of Government penalties and Government compulsion, he wrote them a note, "I will not run any more advertisements like this." That man had a small manufacturing plant, and he placed an advertisement in a newspaper saying that he wanted six white women to do certain kinds of work. This agency went after him like a swarm of bees and forbade the use of such an advertisement, and thereby probably kept several women out of employment who perhaps needed employment and who could perform the duties and would better than others suit the requirements of the position to the employer.

Mr. President, no law existed which authorized the establishment of this agency when it was created, and the best proof of that is that we now have before us a proposal to make the Committee legal. If it were legally constituted all the time why would there be need for a new law respecting it? It is proposed to enact a law providing for the legalizing of something which was contended to be legal and legally authorized all the time. Of course, nothing in the Constitution authorizes the establishment of this Committee. There is no statute providing for it.

So, Mr. President, I shall vote "nay" on the proposal.

Mr. RUSSELL. Mr. President, the Senator from Texas means that he favors the motion to strike from the bill



the language dealing with the Committee?

Mr. CONNALLY. I mean I shall vote against the appropriation. So, Mr. President, I shall vote to strike out of the bill the proposal with respect to the Committee.

Mr. WHITE. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Radcliffe
Ball	Gurney	Reed
Bankhead	Hatch	Revercomb
Barkley	Hill	Robertson
Bilbo	Holman	Russell
Brewster	Johnson, Colo.	Shipstead
Burton	Kilgore	Stewart
Bushfield	Lucas	Taft
Byrd	McClellan	Thomas, Okla.
Capper	McFarland	Thomas, Utah
Chavez	McKellar	Tunnell
Connally	Maloney	Vandenberg
Cordon	Maybank	Wagner
Davis	Mead	Wallgren
Eastland	Millikin	Walsh, Mass.
Ellender	Murdock	Walsh, N. J.
Ferguson	Murray	Weeks
George	O'Mahoney	Wherry
Gerry	Overton	White
Gillette	Pepper	Willis

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL] proposing to strike out the paragraph relating to the Committee on Fair Employment Practice, as amended, being lines 3 to 16, inclusive, on page 10.

Mr. BALL. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I transfer that pair to the junior Senator from Illinois [Mr. BROOKS] who, if present, would vote as I intend to vote. I am therefore at liberty to vote. I vote "nay."

Mr. ELLENDER (when his name was called). I have a pair with the senior Senator from Maryland [Mr. TYDINGS] who, if present, would vote "nay." If I were at liberty to vote I would vote "yea."

Mr. WHITE (when Mr. LANGER's name was called). I have been requested by the Senator from North Dakota [Mr. LANGER] to announce that he is unavoidably absent on Federal business, and that if present he would vote "nay."

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from California [Mr. DOWNEY] and will vote. I vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN] and Mr. SCRUGHAM are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

The Senators from North Carolina [Mr. BAILEY] and Mr. REYNOLDS] and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

I also announce the following pairs: the Senator from North Carolina [Mr. BAILEY] with the Senator from Missouri [Mr. CLARK]; the Senator from Arkansas [Mrs. CARAWAY] with the Senator from Missouri [Mr. TRUMAN]; the Senator from South Carolina [Mr. SMITH] with the Senator from Indiana [Mr. JACKSON]; the Senator from Florida [Mr. ANDREWS] with the Senator from Nevada [Mr. McCARRAN]; and the Senator from Texas [Mr. O'DANIEL] with the Senator from Delaware [Mr. BUCK]. I am advised that, if present and voting, the Senator from North Carolina [Mr. BAILEY], the Senator from Arkansas [Mrs. CARAWAY], the Senator from South Carolina [Mr. SMITH], the Senator from Florida [Mr. ANDREWS], and the Senator from Texas [Mr. O'DANIEL] would vote "yea," and the Senators from Missouri [Mr. CLARK] and Mr. TRUMAN], the Senator from Indiana [Mr. JACKSON], the Senator from Nevada [Mr. McCARRAN], and the Senator from Delaware [Mr. BUCK] would vote "nay."

I further announce that, if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from California [Mr. DOWNEY], the Senator from Montana [Mr. WHEELER], and the Senator from Wisconsin [Mr. LA FOLLETTE] would vote "nay."

The Senator from Arizona [Mr. HAYDEN] has a general pair with the Senator from North Dakota [Mr. NYE]; and the Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Vermont [Mr. AUSTIN].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES], who is absent because of illness, has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE], who is necessarily absent, has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK], who would vote "nay," is paired with the Senator from Texas [Mr. O'DANIEL], who would vote "yea."

The Senator from Vermont [Mr. AUSTIN], who is necessarily absent, has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from Illinois [Mr. BROOKS], the Senator from Connecticut [Mr. DANAHY], and the Senator from

New Hampshire [Mr. TOBEY] are necessarily absent. These Senators would vote "nay" if present.

The Senator from New Jersey [Mr. HAWKES], the Senator from North Dakota [Mr. LANGER], the Senator from Oklahoma [Mr. MOORE], the Senator from Idaho [Mr. THOMAS], and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent attending the marriage of his daughter. If present, he would vote "nay."

The result was announced—yeas 21, nays 38, as follows:

#### YEAS—21

Bankhead	George	Maybank
Bilbo	Gurney	Millikin
Brewster	Hill	Overton
Bushfield	Holman	Robertson
Byrd	Johnson, Colo.	Russell
Connally	McClellan	Stewart
Eastland	McKellar	White

#### NAYS—38

Aiken	Kilgore	Taft
Ball	Lucas	Thomas, Okla.
Barkley	McFarland	Thomas, Utah
Burton	Maloney	Tunnell
Capper	Mead	Vandenberg
Chavez	Murdock	Wagner
Cordon	Murray	Wallgren
Davis	O'Mahoney	Walsh, Mass.
Ferguson	Pepper	Walsh, N. J.
Gerry	Radcliffe	Weeks
Gillette	Reed	Wherry
Guffey	Revercomb	Willis
Hatch	Shipstead	

#### NOT VOTING—37

Andrews	Downey	O'Daniel
Austin	Ellender	Reynolds
Bailey	Glass	Scrugham
Bone	Green	Smith
Bridges	Hawkes	Thomas, Idaho
Brooks	Hayden	Tobey
Buck	Jackson	Truman
Butler	Johnson, Calif.	Tydings
Caraway	La Follette	Wheeler
Chandler	Langer	Wiley
Clark, Idaho	McCarran	Wilson
Clark, Mo.	Moore	
Danaher	Nye	

So Mr. RUSSELL's amendment was rejected.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had receded from its disagreement to the amendments of the Senate numbered 5, 7, 9, 10, 11, 12, 13, 14, 17, 25, 31, 41, 43, 48, 52, 59, 66, and 71 to the bill (H. R. 4443) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1945, and for other purposes, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 27, 40, 53, and 63 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate; that the House receded from its disagreement to the amendment of the Senate numbered 65 to the bill and concurred therein with amendments, in which it requested the concurrence of the Senate; that the House insisted upon its disagreement to the amendment of the Senate numbered 60 to the bill, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TARVER, Mr. CANNON of Missouri, Mr. SHEPPARD, Mr. WENE, Mr. LAMBERTSON, Mr. DIRKSEN, and Mr. PLUMLEY were appointed managers



on the part of the House at the conference.

# ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution and they were signed by the Acting President pro tempore:

H. R. 1475. An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended;

H. R. 4320. An act relating to the computation of interest on contributions to the civil-service retirement fund returned to employees upon their separation from the service;

H. R. 4659. An act to authorize the Soil Conservation Service to lend certain equipment; and

H. J. Res. 298. Joint resolution making appropriations for grants to States under the Social Security Act.

## APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

Mr. RUSSELL. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 10, at the end of line 16, it is proposed to insert the following: "Provided, That no part of the funds herein appropriated shall be used to pay the compensation of any person to initiate, investigate, or prosecute any complaint against any defendant where such defendant does not have the same right to appeal an adverse decision of the Committee on Fair Employment Practice to the President of the United States, or to refer said complaint to the President of the United States for final disposition, as is asserted by or allowed the said Committee on Fair Employment Practice in cases where persons complained against refuse to abide by its orders."

Mr. RUSSELL. Mr. President, the nature of this agency is transformed by the vote which has just been taken. Heretofore the organization has been the President's Committee on Fair Employment Practice. By the majority vote which has just been had in this Chamber it now becomes the Congress' Committee on Fair Employment Practice. Up until this hour it has been the child of the executive branch of Government. The legislative branch has now adopted it, and has undertaken to give it legality.

Certainly, Mr. President, if we are going to confirm in this manner all the acts of the Committee on Fair Employment Practice and all the rules and all the regulations which have been promulgated by it, the least we can do is to preserve an essential right of every American citizen, namely, the right to appeal from an adverse decision which may destroy such citizen.

Under the regulations which now are in force, which provide for the procedure in the Committee, the Committee has the right to refer or to cite to the President of the United States any defendant who

refuses to carry out its orders. The amendment merely would allow a defendant who has been cited before the Committee—without, as I still insist, any authority of law—to have the same right of appeal which is allowed to the Committee.

Of course, Senators can vote against providing any right of appeal. They can vote to give the Committee all the powers it has asserted are vested in it by the Executive order. But I shall ask that we have a yea-and-nay vote on the question whether an individual who has been cited before the Committee shall be denied the right of appeal, shall have his contracts canceled, and shall have other sanctions imposed against him, although the Committee itself, if that person refuses to act, has a right to appeal to the President of the United States.

I ask for the yeas and nays on the amendment which provides that right.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MALONEY. I should like to have a clear understanding of the amendment, before the vote is taken. The Committee on Fair Employment Practice has no right to cancel contracts. The Senator has said contracts can be canceled only through some other agency of Government.

Mr. RUSSELL. That is correct.

Mr. MALONEY. Does the Senator contend that if the War Department cancels a contract, the man who had the contract has a right to appeal to the President of the United States?

Mr. RUSSELL. That is what I am seeking. I say that if the War Department is to cancel a man's contract because he does not conform to a ruling or order which has been issued by the Committee on Fair Employment Practice, certainly that man, the defendant, should have the right to appeal.

Under the procedure which now obtains, the Executive order provides that if a person refuses to conform, before sanctions are employed the Committee has a right to cite the defendant to the President of the United States. In two cases the Committee has cited defendants to the President.

The amendment provides that if the Committee arbitrarily and without good reason proposes to cancel a contract, a party to the contract shall have a right to appeal.

Mr. MALONEY. Mr. President, I am inclined to be in accord with what I think is the Senator's purpose. But I am wondering whether by the amendment he would not direct that a party to almost any canceled war contract might have the right to appeal to the President.

Mr. RUSSELL. I do not think so. The amendment provides that if the committee arbitrarily attempts to impose some unfair order or regulation upon a party to such a contract, he may have the right of appeal to the President. At the present time such a person is absolutely without any recourse. He cannot go into the courts. Of course, it would be a futile thing to give him the right to come to the Congress, inasmuch as the

Congress has already vested these powers in the Committee on Employment by the vote just had. There should be a right of appeal somewhere before a citizen suffers loss due to arbitrary action.

As I have said before, the matter of the cancelation of contracts is a question of life and death with American business today. The Committee on Fair Employment Practice, having been given congressional sanction, can practically eliminate an industry if it wishes to do so, and a party to a contract has absolutely no right of appeal from the Committee's decision.

Mr. MALONEY. Does the Senator think his amendment makes it clear that persons engaged in war work, and subject to the cancelation of contracts, can appeal only if the difficulty arises as the result of action taken by the Committee on Fair Employment Practice?

Mr. RUSSELL. Oh, yes. Such persons could appeal only when a government department or agency has canceled a contract, and when the party to the canceled contract, or the defendant, contends that some action on the part of the Committee on Fair Employment Practice has been arbitrarily directed against him.

Mr. MALONEY. The Senator has made that point clear; has he?

Mr. RUSSELL. I am sure it is clear. Of course, the effect of the amendment is that some rules to provide for an appeal must be established. That is its effect. The only way we can bring that about is by way of a limitation upon the appropriation. With this limitation imposed I am sure the F. E. P. C. will provide some method of appeal to those who contest its powers and orders.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARKLEY. Under the present practice, as I understand it, if a person or corporation proceeded against refuses to carry out an order of the Committee, the Committee may appeal to the President. Is that true?

Mr. RUSSELL. Yes.

Mr. BARKLEY. The Committee itself cannot cancel contracts, and does not do so, under the regulations. But the War Department or some other department which has a contract may do so, as I understand the situation. Is that correct?

Mr. RUSSELL. That is correct.

Mr. BARKLEY. If the department which has the contract which has been recommended for cancelation by the Committee—I suppose the Committee can do that—itself refuses to cancel the contract, then the Committee can take that matter to the President; is that true?

Mr. RUSSELL. That is correct.

Mr. BARKLEY. What the Senator is seeking to accomplish, as I understand the amendment, is that when the department involved has canceled the contract, a party to the contract can appeal to the President, if the department canceled the contract as a result of a recommendation of the Committee, but not of any other agency.

Mr. RUSSELL. That is correct.



Mr. President, I ask that the amendment be agreed to.

Mr. BARKLEY. Mr. President, unless the amendment involves something which does not appear on the surface, I personally do not believe any injustice would result to the Government by reason of allowing a person whose contract is canceled as a result of action by the Committee to take up the matter with the President. I would object to providing the right of appeal to the President in the case of a contract which was canceled as a result of action by some other agency. But in a case in which the contract is canceled as a result of some regulation of the Committee on Fair Employment Practice, I am inclined to think such a provision might be made.

Mr. RUSSELL. I thank the Senator.

Mr. CHAVEZ. Mr. President, if the amendment, as it is worded, provides for an appeal to the President, such as the appeal the Committee would have, I do not believe anyone would object to it at all.

May the amendment be read again?

The PRESIDING OFFICER. Without objection, the amendment will be read again.

The CHIEF CLERK. On page 10, at the end of line 16, it is proposed to insert: "Provided, That no part of the funds herein appropriated shall be used to pay the compensation of any person to initiate, investigate, or prosecute any complaint against any defendant where such defendant does not have the same right to appeal an adverse decision of the Committee on Fair Employment Practice to the President of the United States, or to refer said complaint to the President of the United States for final disposition, as is asserted by or allowed the said Committee on Fair Employment Practice in cases where persons complained against refuse to abide by its orders."

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. BARKLEY. I think it is unfortunate that the amendment has to be offered by way of a limitation on an appropriation. But it cannot be offered otherwise except by a suspension of the rule, which would require a favorable vote of two-thirds of the Senate.

The language in the amendment, "to initiate, investigate, or prosecute any complaint," in cases in which the right of mutual appeal does not exist, in order to be effective would result, I suppose, in an amendment or a modification of the rules of the committee.

Mr. RUSSELL. Of course, I stated frankly to the Senator from Connecticut, that the effect of the amendment would be to force the establishment of some method of appeal. If the members of the committee do not do that, they cannot draw their salaries.

Mr. BARKLEY. Of course, none of the appropriation could be used for the purpose for which it was intended, otherwise.

Mr. RUSSELL. That is correct.

Mr. BARKLEY. I myself would prefer to vote straight out on the question of providing for an appeal to the President, rather than to vote for it in this

way. But I realize that we could do that only by a two-thirds vote on the question of suspension of the rule.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). The question is on agreeing to the amendment of the Senator from Georgia, adding certain language on page 10, at the end of line 16.

The amendment was agreed to.

Mr. RUSSELL. Mr. President, I offer the amendment which I send to the desk, and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. After line 16, on page 10 of the bill, it is proposed to insert the following: "Provided further, That no part of this appropriation shall be used to pay the compensation of any person to initiate, investigate, or prosecute any proceeding against any person, firm, or corporation which may result in seizure or operation of any plant or other property of such person, firm, or corporation by Federal authority for the failure to abide by any rule or regulation of the Committee on Fair Employment Practice, or for failure to abide by any order passed by the Committee on Fair Employment."

Mr. RUSSELL. Mr. President, the amendment speaks for itself. During the course of the debate it developed that the chairman of this Committee had asserted the right of the Committee to cause the taking over of any plant when the owners thereof did not comply with an order of the Committee. The amendment makes it clear that no industry, or any person having business with the Government, shall have its plant taken over for failure to conform to any rule of the Committee. The Government would still have the right to cancel the man's contract. But certainly neither this Committee nor any other agency of the Government should have the authority to order a plant to be seized merely because the owner had not carried out the Committee's rules in the absence of any legislative standards imposed by the Congress upon the Committee.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARKLEY. I am not aware of any case in which the Committee itself has attempted to take over any plant. I had not been apprised of the fact that it had asserted such right. I have been absent in an attempt to help write an O. P. A. bill and have not been present during all the debate.

Allow me to ask the Senator a question. Suppose that as the result of an order issued by the Committee to cease and desist in the case of any discrimination which it has the right to consider, the plant which was involved refused to carry out the order of the Committee, and as a result a strike took place involving the production of war material. Would the proposed amendment deprive the President of the right to take over the plant under laws already enacted?

Mr. RUSSELL. It would not deprive the President of any right conferred by

existing law. If such plant were closed by a strike he is authorized by substantive law to seize the plant.

Mr. BARKLEY. I am not certain about it, because the language of the amendment includes, I believe, the phrase "resulting from any order," and so forth, of this Committee. I certainly do not feel that we should deprive the President of the right to seize a plant for any reason which ourselves have specified in the laws which we have enacted.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CONNALLY. Is it not true that all the amendment would do would be to provide a penalty for not observing the rules of the Committee, but that confiscation would not take place?

The case cited by the Senator from Kentucky would involve a different proposition. After certain things took place if a strike should result in a war plant, the strike law would apply.

Mr. BARKLEY. I can very well visualize a case in which the Committee itself had ordered a plant to cease a discrimination which it had found to exist. If the plant refused to obey the order of the Committee, the Committee could then appeal to the President.

Mr. RUSSELL. Mr. President, I wish to be candid with Senators. I do not want any Senator to be misled in voting on the proposal. I did not have time to have the amendment printed. It occurred to me very early this morning while I was thinking of some safeguards to suggest in connection with this provision.

Mr. BARKLEY. The hour intimated by the Senator from Georgia is a very late one for a Member of this body to be out. [Laughter.]

Mr. RUSSELL. The purpose of the amendment, whether the language would accomplish it or not, is completely to divest this Committee of the right to set any machinery in action which would take over any industrial plant.

Mr. BARKLEY. I should like to have the amendment reread. When it was read by the clerk I caught some language which made me believe that if anything should happen which was the result of an order of the Committee the plant might not be taken over even if what had occurred should result in a strike by the employees, or a refusal to carry out the orders of the Committee.

The PRESIDING OFFICER. The amendment will be restated.

The CHIEF CLERK. After line 16, on page 10 of the bill, it is proposed to insert the following: "Provided further, That no part of this appropriation shall be used to pay the compensation of any person to initiate, investigate, or prosecute any proceeding against any person, firm, or corporation which may result in seizure or operation of any plant or other property of such person, firm, or corporation by Federal authority for the failure to abide by any rule or regulation of the Committee on Fair Employment Practice, or for failure to abide by any order passed by the Committee on Fair Employment."



Mr. BARKLEY. I think there could be no doubt about the interpretation of the amendment that even the President himself could not, under present law, take over a plant because of a strike resulting from the nonobservance of an order issued by the Committee.

Mr. RUSSELL. The Senator knows that a statute cannot be repealed by limitation of an appropriation. Only the power may be limited of the organization for which the appropriation is made. The language in the proposed amendment could not in any way repeal the powers of the President to take over any plant.

Mr. BARKLEY. The amendment refers to the taking over of a plant by the Federal authority.

Mr. RUSSELL. Yes.

Mr. BARKLEY. The President has Federal authority.

Mr. RUSSELL. Of course he has.

Mr. BARKLEY. The language seems to me, although the Senator may not have so intended it, to be broad enough to be interpreted as meaning that none of the money may be used to investigate, initiate, or otherwise to proceed against any plant which would result in taking over a plant by Federal authority. I can very well understand how there could arise a situation in which a war plant might be involved in a strike growing out of activities of this committee, or the failure of the company involved to carry out the recommendations or orders of the committee. If war production were involved I certainly would not wish to vote for an amendment which would take away from the Federal authority which now exists the right to take over a plant in the event that a strike should result from the controversy.

Mr. RUSSELL. I can see no basis whatever for the assertion—

Mr. BARKLEY. Even if there were a likelihood of the occurrence which I have stated, the money could not be spent under the amendment for the purpose referred to.

Mr. CONNALLY. Mr. President, I wish to submit that the construction which the Senator from Kentucky fears would not be possible under the language of the amendment. The amendment says in part:

Any proceeding against any person, firm, or corporation which may result in seizure or operation of any plant or other property of such person, firm, or corporation—

That language is followed by an assertion, which is not necessary, of the words "by Federal authority."

For what?

For failure to abide by any order passed by the Committee on Fair Employment.

In other words, the amendment applies to a seizure, not because of a strike, not because of something that happens later on; the amendment merely prohibits the seizure of a plant as a penalty for violating some rule of the committee. That is what it is intended to do, is it not?

Mr. RUSSELL. That is exactly what I intended, that is the purpose of the amendment, and I thought it was perfectly clear.

Mr. CONNALLY. I do not see how any other construction can be placed upon it, because it says "which may result in the seizure or operation of any plant or other property of such person." For what? For failure to abide by the committee's rule. If it is for something else, for a strike later on, that is a wholly different matter, and has no relation whatever to this particular amendment.

Mr. BARKLEY. Let me analyze the language of the amendment of the Senator from Georgia a little further. It reads:

*Provided further,* That no part of this appropriation shall be used to pay the compensation of any person to initiate, investigate, or prosecute any proceeding against any person, firm, or corporation which may result in the seizure or operation of any plant or other property of such person, firm, or corporation.

How can anyone who starts out to investigate one of these cases know in advance whether it might result in the seizure of property, and if he starts out innocently, under the orders of the Committee, to investigate a complaint, and later on the plant should be taken over, how could he be stopped from proceeding merely on the fear that it might result in the seizure of the plant? I do not see how anyone, under this language, would feel justified in making any kind of an investigation, because he could not project his mind far enough into the future to see what some other agency might do. It applies to every person who would undertake anywhere to investigate a complaint. If the Senator is going to try to limit the taking over of any plant, it seems to me it should be by the Committee itself, not by any other Federal agency, because the complaint the Senator makes against the Committee is that it asserts the right; not that it has ever taken over a plant.

Mr. RUSSELL. I do not think the Committee has made a formal declaration that it had the right to take over a plant. According to a newspaper account read in the course of the debate—though not by me—the chairman asserted that if the 14 railroads which had been cited to the President did not conform to their order, the President of the United States was going to take the railroads over. I think that when we legislate in this haphazard fashion and impose upon American industry or business the penalty of losing contracts with the Government in this time, when that is certainly a very extreme penalty, we should not go further and say, "We not only are going to take your contract away from you, but are going to take your plant away from you, if you do not come in and conform to the orders of this agency," which has no legislative standards, the powers of which Congress has never defined, other than by the unlimited grant of power the Senate approved by the vote a few moments ago. I do not believe it is fair, from what I know of the Committee and some of its actions in the past, that the Committee should have the right to set in motion action which would eventuate in the seizure and operation of private business in this country. The

penalty of losing a contract is certainly a very stiff penalty.

Mr. BARKLEY. I should like to ask the Senator another question. I do not know the basis upon which the Chairman of the Committee made the assertion, if he did make it, that the President would take over 14 railroads simply because they did not obey the orders of the Committee. That would be a matter up to the President, even if he had the power to do it. It is inconceivable to me that anyone could predict that the President would take over the railroads under any circumstances except those already outlined in the law, under which he took them over a few months ago because of a threatened strike, not because of the disobedience of an order of somebody which had been issued, but as a war measure, because a strike threatened to interfere with transportation. Fortunately, that matter was settled, and the railroads were operated by the Government but a few days.

Mr. RUSSELL. The Senator knows that the question of a strike is not involved in the railroad case originated by F. E. P. C. There has been no strike as the result of the President's order. There has been an absolute refusal on the part of the railroad brotherhoods and the railroads, which have an existing contract, to conform to the order of the F. E. P. C., that they cancel their contract. The labor union said, "We are not going to cancel the contract," and the railroads said, "We are not going to cancel the contract," and the matter has now been referred to the President of the United States.

Certainly, Mr. President, the power to take away from those railroads any Government business should be a sufficient penalty, when it is asserted by as nebulous an organization as the one under consideration.

There is nothing in the amendment which would repeal any substantive law, and the Senator from Kentucky is familiar with the rule which has been uniformly followed, that a limitation on an appropriation applies only to that appropriation.

Mr. BARKLEY. Yes; I appreciate that.

Mr. RUSSELL. And not to any other law. We cannot by a limitation on an appropriation bill repeal the Smith-Connally Act, we cannot repeal the Second War Powers Act, or any other act, we cannot repeal the amendment I offered to the selective service law, giving the President power to take over businesses in certain cases. The President could still take over the railroads in the event there was any strike, but I do not think we should turn this agency loose to go around threatening to take over private business if such business or industry refuses to submit to its dictates. The penalty of cancellation of their contracts is certainly severe enough. This should be made perfectly clear in the rules and regulations promulgated by this organization. The President has given them unlimited power to promulgate all rules and regulations they think necessary, and I think the Congress, in passing on



this matter, should say, "You cannot promulgate a rule that is going to result in taking over private industry in this country for failure to conform to any order the F. E. P. C. may issue as to employment policies of any individual or corporation that is engaged in business in his country."

Mr. BARKLEY. The difficulty which confronts me is that we might create a fear in the mind of some of the employees of this committee, in going out and starting an investigation, lest later on, if the controversy they were investigating, or the discrimination, if one were found to exist, resulted in a strike in a plant, the committee itself, or the person involved, might be charged with having expended money unlawfully, because later on something happened which could not be foreseen, and therefore the law was violated.

Mr. RUSSELL. Mr. President, this committee can promulgate any rule or regulation it sees fit to promulgate, under the terms of the President's Executive order. I shall read the last provision of the order. After ordering that the F. E. P. C. may do this, that and the other, try cases, and so forth, it then says:

The Committee shall have power to promulgate such rules and regulations as may be appropriate or necessary to carry out the provisions of this order.

Let them promulgate a rule which will make it absolutely clear that they are not asserting the right to take over plants or to be the motivating factor behind the action of any other agency of the Federal Government in taking over private industry in this country for refusing to obey their decrees, and they will have absolved themselves from this limitation. Is it asking too much, when they claim the power to take a man's contract away from him, to say that this committee shall adopt a rule that they are not going to take away his plant, too, unless he subjects himself to their whim and fancy?

We all know it would have to be a very extreme case before the President would interfere with the action of the Committee in reaching a decision, but when we say they may take a man's contract away from him, we should not go further and say they can take his business away unless he is willing to conform to any rule or regulation which this Committee might promulgate, or any order which might be issued.

I certainly think that business in this country is entitled to the protection at least of not having physical properties taken away at the behest of this agency. We have approved the claim of right to take a contract away from business, and I am not offering any amendment which would deny the right to have contracts canceled and I do not propose to do so, but I do think the Senate should approve an amendment which would prevent this Committee from setting in motion any power which would result in taking away the private property of any person, firm, or corporation in the United States.

Mr. MEAD. Mr. President, I hesitate to prolong the discussion. I am not sure

what the consequences of the adoption of the pending amendment would be. It occurs to me however that its adoption would be taking somewhat hasty action at this late moment. It occurs to me also that the amendment would limit and restrict the power of the Chief Executive. The amendment therefore ought to be considered later on in connection with the bill which has already been introduced in the House and in the Senate dealing with this subject. I hope, Mr. President, that we will set aside the amendment at this time.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. MAYBANK. It seems to me the Senator from Georgia has quite as much right to offer an amendment to the proposed \$500,000 appropriation for the committee and to have it acted upon at this time in connection with the pending measure, as the Senator from Connecticut [Mr. DANAHY] had to propose an amendment to the pending legislation in the form of the bill now in the House, but which he withdrew a day or so ago.

Mr. MEAD. Mr. President, we are merely dealing with an appropriation for an agency which is already in existence. The legislation introduced by the junior Senator from Connecticut [Mr. DANAHY] has been referred or will be referred to a Senate committee dealing with such legislative matters, and not to the Committee on Appropriations. It can be considered by such a committee, and we will have ample opportunity to present our views. So I hope the amendment will be passed over until we consider the proposed legislation introduced by the junior Senator from Connecticut or some similar bill.

Mr. RUSSELL. Mr. President, I merely wish to say that I think we have taken rather hasty action here in approving of all the rules and regulations that have been issued without any of the Members of this body being apprised as to what they were. If the Senate does not wish to adopt my amendment, which merely provides that the Committee on Fair Employment Practice cannot put in motion the machinery to take over a man's enterprise, without in any way curtailing the right to cancel his contract, it has the right to do so. I feel that I have some responsibility to offer these amendments and to try to see that there is some kind of safeguard or some legislative standard, and any that we may impose will be mild enough because I know how Senators feel about the matter. I certainly think the very least the Congress can do is to make a declaration that we do not believe that any person should be deprived of his private property, his mill, or his factory or his store simply because he refuses to obey an order issued by this agency. Certainly such a penalty would be too extreme.

Mr. BARKLEY. Mr. President, I do not wish to discuss the amendment. I simply rose to urge Senators to remain a little later than usual, if necessary, in order to dispose of the pending bill. A number of appropriation bills are as yet undisposed of. There is important legislation which it is necessary to be disposed

of, and I hope Senators will not be in a hurry to leave the Chamber until we have disposed of the pending bill and other matters that the Senator from Tennessee [Mr. McKELLAR], as acting chairman of the Appropriations Committee, is anxious to bring before the Senate and have disposed of. I do not care to delay a vote on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL]. [Putting the question.] The Chair is in doubt.

Mr. RUSSELL. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from California [Mr. DOWNEY] and will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS. I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I transfer that pair to the junior Senator from Wisconsin [Mr. WILEY], and will vote. I vote "nay."

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN] and Mr. SCRUGHAM are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senator from South Carolina [Mr. SMITH], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

The Senators from North Carolina [Mr. BAILEY] and Mr. REYNOLDS and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

The Senator from Alabama [Mr. BANKHEAD] is detained in a committee meeting.

I also announce that the Senator from South Carolina [Mr. SMITH] is paired with the Senator from Indiana [Mr. JACKSON]; and the Senator from Florida [Mr. ANDREWS] is paired with the Senator from Nevada [Mr. McCARRAN]. I am advised that if present and voting, the Senator from South Carolina and the Senator from Florida would vote "yea," and that the Senator from Indiana and the Senator from Nevada would vote "nay."



I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from California [Mr. DOWNEY], and the Senator from Wisconsin [Mr. LA FOLLETTE] would vote "nay."

I further announce that the Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Vermont [Mr. AUSTIN]; and the Senator from Arizona [Mr. HAYDEN] has a general pair with the Senator from North Dakota [Mr. NYE].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK] has a pair with the Senator from Texas [Mr. O'DANIEL].

The Senator from Vermont [Mr. AUSTIN] has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from Ohio [Mr. TAFT] is necessarily absent. If present he would vote "yea."

The Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. LANGER], the Senator from New Hampshire [Mr. TOBEY], the Senator from Idaho [Mr. THOMAS], the Senator from Iowa [Mr. WILSON], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], and the Senator from Connecticut [Mr. DANAHY] are necessarily absent.

The result was announced—yeas 27, nays 25, as follows:

## YEAS—27

Bilbo	Gerry	Maybank
Butler	Gillette	O'Mahoney
Byrd	Gurney	Overton
Connally	Hatch	Reed
Cordon	Hill	Revercomb
Eastland	Holman	Russell
Ellender	Johnson, Colo.	Stewart
Ferguson	McClellan	Wherry
George	McKellar	White

## NAYS—25

Aiken	Lucas	Tunnell
Ball	McFarland	Vandenberg
Barkley	Maloney	Wagner
Burton	Mead	Wallgren
Capper	Murdock	Walsh, Mass.
Chavez	Murray	Walsh, N. J.
Davis	Pepper	Willis
Guffey	Thomas, Okla.	
Kilgore	Thomas, Utah	

## NOT VOTING—44

Andrews	Downey	Reynolds
Austin	Glass	Robertson
Bailey	Green	Scrugham
Bankhead	Hawkes	Shipstead
Bone	Hayden	Smith
Brewster	Jackson	Taft
Bridges	Johnson, Calif.	Thomas, Idaho
Brooks	La Follette	Tobey
Buck	Langer	Truman
Bushfield	McCarran	Tydings
Caraway	Millikin	Weeks
Chandler	Moore	Wheeler
Clark, Idaho	Nye	Wiley
Clark, Mo.	O'Daniel	Wilson
Danahy	Radcliffe	

So Mr. RUSSELL'S amendment was agreed to.

Mr. RUSSELL. Mr. President, I offer another amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following: "Provided further, That no part of the funds herein appropriated shall be used to pay the compensation of any person employed by said Committee on Fair Employment Practice who issues or attempts to enforce any rule, regulation, or order which repeals, amends, or modifies any law enacted by Congress."

Mr. RUSSELL. Mr. President, I am sure there can be no controversy over this amendment. At the very least there should be a limitation on the powers of the Committee prohibiting it from asserting the power to modify, amend, or repeal any act of Congress. That is all this amendment provides. No person shall be paid from this appropriation if he attempts to pursue any proceeding which would amend, modify, or repeal any act of Congress.

Mr. BALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BALL. Does the Senator know of any case in which the Committee has asserted such authority?

Mr. RUSSELL. In my judgment, it asserts that authority when it undertakes to compel the low bidder on a contract required to be let in accordance with statutory law to conform to requirements other than those imposed by the Congress. That is a question which would have to be determined by another Government authority; but, in my judgment, when F. E. P. C. undertakes to review, change, or alter acts of Congress in the matter of letting contracts by superimposing upon the congressional act some requirements of its own, that amounts to a modification or repeal of an act of Congress. I do not believe that any creature of Congress—now that we have adopted the Committee on Fair Employment Practice—should have the authority or power to do anything in derogation of a solemn act of Congress. That is the purpose of the amendment.

Mr. BALL. Mr. President, will the Senator further yield?

Mr. RUSSELL. I yield.

Mr. BALL. Is it the Senator's contention that the section in the President's Executive order ordering procurement agencies to insert a clause in Government contracts requiring no discrimination because of race, color, or creed is a violation of any act of Congress?

Mr. RUSSELL. That is a matter of opinion. In my opinion, it is, in the case of contracts required by law to be let to the lowest bidder. Congress has enacted a law which very specifically and carefully deals with the question of awarding contracts to the lowest bidder. As I understand, there is nothing in that act which would require the contractor to submit himself to the orders of the Committee on Fair Employment Practice before being awarded a contract on a low bid. Some other authority may rule differently, but in my judgment that is an action of an agency which would have the effect of modifying or repealing an act of Congress.

Mr. BALL. Then, is it the purpose of the Senator's amendment to take away

from the Committee any right to apply pressure through a procurement agency on any corporation having a Government contract, to correct what the Committee considers to be a bad practice?

Mr. RUSSELL. No; that is not a fair statement, because 85 or 90 percent of the contracts now being awarded are being let on some other basis than that of the lowest bidder. The amendment would not prevent the Committee from applying any other pressure that might be at its disposal to force a contracting party to submit himself to this agency. However, it would provide that the Committee may not establish a new requirement which goes beyond those prescribed by Congress in making a contract to be awarded to the lowest bidder. According to my interpretation, it is confined to that class of cases.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

The amendment was agreed to.

Mr. RUSSELL. Mr. President, I have one further amendment. I do not care to discuss it at length. I assume that this amendment will be controversial. However, I wish to offer it and have a vote on it.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following: "Provided, That no part of the funds herein appropriated shall be used to pay the compensation of any person who initiates, investigates, or prosecutes any proceeding against an employer and a labor union to amend or abrogate an existing contract between such employer and such labor union."

Mr. RUSSELL. Mr. President, I do not care to belabor the subject. I discussed it at some length last Friday. A reading of the amendment will make its purpose perfectly clear. The purpose is to make sure that this agency has not the authority to disturb or abrogate an existing contract between two private contracting parties. That is the effect of it. If a contract expires, or if no contract is in being, the agency could proceed. I wish to be perfectly fair to all Members of the Senate. The purpose of the amendment is to deny to the Committee on Fair Employment Practice the right to repeal or modify an existing contract which is not otherwise illegal, entered into in good faith between a labor union and an employer.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I can go along with the Senator from Georgia on many things, but I will not go along with him in supporting an amendment which has for its purpose carrying out the caprice of any labor union when it is engaged in doing something which is un-American.

Mr. President, I have been carrying the torch for labor unions for years, but some of them are just as bad as any businessman or any corporation which



dares to oppress the one who toils. I will not vote for any amendment to preserve the sanctity of a contract which to my mind represents an un-American effort by a labor union to use discrimination. I know something about labor unions. As I have said, in my State I have dared to speak in their favor when no one else would do so, when it was unpopular to speak in their favor. But I know of some labor unions which are just as un-American as some of the large corporations which are oppressing those who sweat and toil. I know of some labor unions which would not permit an Italian to belong to them. I know of some labor unions which would not permit persons of some other nationalities to belong to them. I know of some unions which would not let your son or my son be an apprentice to a carpenter or to a machinist. I will not vote for an amendment which would not limit such activities by labor unions which have been just as subversive of the rights of Americans as have the activities of anyone else who could oppress labor.

Mr. MURDOCK. Mr. President, I wish to make the brief observation that in my opinion the Senate very bravely marched up the hill by voting for the appropriation for the Committee, and in my opinion, the Senate, by means of what I think are these rather subtle amendments, is voting to march down the hill.

Mr. RUSSELL. Mr. President, I wish to make it clear that the amendment would not in anywise limit the power of the Committee to deal with a labor union as such or an employer as such. It would prevent the Committee from asserting the power to abrogate a contract already in existence.

I do not care to argue the question. As I have stated heretofore, that is the purpose of the amendment. I hope it will have that effect if it is adopted by the Senate.

I may say, in answer to the remarks of the Senator from Utah, that these amendments were frankly designed to provide some modest limitations on the power of the Committee.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MURDOCK. It seems to me that the distinguished Senator from Georgia has gone so far afield from the two small sections of the President's order that he simply does not recognize what we are legislating upon. At least, I cannot see any application or any relationship at all between the Senator's amendments and the order of the President.

If the Senator will indulge me a little further, I should like to read the two parts of the order which are at all important. The first is:

All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin.

The order also would require the contractor to include a similar provision in all subcontracts,

The other part is as follows:

All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to insure that such programs are administered without discrimination because of race, creed, color, or national origin.

The amendments which the Senate has adopted, after voting the appropriation, have to do with the seizure of plants and the taking over of businesses which have nothing at all to do, in my opinion, with the Executive order promulgated by the President.

Why we should march up the hill and appropriate \$500,000, and then turn around, by means of amendments, and march down again is hard for me to comprehend.

Mr. RUSSELL. Mr. President, I regret that I cannot assume responsibility for the inability of the Senator from Utah to see the purpose of the amendments. But if he has marched up the hill, and if the amendment does not mean anything, its adoption will not mean that the Senate is marching down the hill. If no one proposed to take over private plants under the powers this Committee is asserting, the amendment could not hurt a thing on earth. It could not injure the Committee in its work in any way at all.

But every amendment I have offered has been directed at some specific action the Committee has been taking, as disclosed by the hearings in the House and in the Senate. I have not offered the amendments merely for the pleasure of offering them. I am apprehensive lest this agency might undertake to have plants seized by Federal authority in this country, in cases in which employers refuse to submit themselves to the dictates of the Committee. If the Committee has no such intention, the amendment cannot hurt it in the slightest degree.

Mr. MURDOCK. Mr. President, will the Senator further yield?

Mr. RUSSELL. I yield.

Mr. MURDOCK. I certainly do not wish to charge my distinguished friend, the Senator from Georgia, with ever offering an amendment which is not effective and which has no purpose. What I wish to charge him with is offering amendments which will destroy the effect of the action taken by the Senate earlier today.

Mr. RUSSELL. Mr. President, I thank the Senator for the compliment he pays me when he says the effect of the amendment will be to destroy the power of the F. E. P. C.

Mr. MURDOCK. The Senator's very purpose in offering the first amendment was to destroy the Committee. The Senator has not been successful in that respect.

In my opinion the Senator has been successful in greatly curtailing and, I think, destroying the activities of the Committee, by what has been adopted by way of amendment.

Mr. RUSSELL. I hope the amendments will curtail the activities of the Committee so that it will not be able to seize private enterprise in this country. I hope it will have that effect.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from New Mexico.

Mr. CHAVEZ. My objections to the pending amendment are fundamental. There is no doubt whatever in my mind as to what the Senator from Georgia has in mind with reference to trying to prevent the committee from doing something which he thinks should not be done. I am positive of that. But the amendment will effect a situation which I shall now describe. In my State the Government has a contract for the building of an air base. The contractor who is building the air base has a contract with a union to furnish labor on the Government contract.

The viciousness of the pending amendment, as I see it, is that the unions have not and will not permit an American citizen go to work on the air base unless he first pays tribute to the union. That is the kind of contract the Senator's amendment would protect.

Mr. RUSSELL. Oh, no; the Senator misunderstands the effect of the amendment.

Mr. CHAVEZ. That is the way I understand the Senator's amendment.

Mr. RUSSELL. But the Senator misinterprets the amendment.

Mr. CHAVEZ. Possibly I do. Everything which has been said against unions during the debate has been said about the C. I. O. But I know other unions which would not permit a person to do a little work in connection with the war effort unless he belonged to that particular union.

The Senator's amendment would protect a contract by which it would be necessary for a poor citizen of this country to pay tribute to a union. Unless he paid tribute to the laborer's union or the carpenter's union, he could not work. I think the F. E. P. C. should take care of a matter of that kind.

Mr. RUSSELL. No, Mr. President; the amendment has nothing to do with a matter of that kind. The F. E. P. C. has no right to declare an open shop anywhere, so far as I know. If it did have such a right, it would run head-on into the War Labor Board.

Mr. CHAVEZ. But the amendment would protect the closed shop. I do not think the closed shop should be permitted in plants working in the war effort.

Mr. RUSSELL. I do not have any war industry in mind. I might say I had in mind a contract which has been entered into on a basis of years—I do not recall how many—between the southern railroads and the railroad brotherhoods. I have also some ideas that the question involved here is rather fundamental. I have always thought that a contract which was otherwise legal was something which should not be set aside for any light reasons, but that there should be sound and substantial reasons for the cancellation or setting aside of a contract.

All Senators know how they are going to vote on this question. I shall not discuss it further. The amendment would not have the effect stated by the Senator from New Mexico. It would only preserve the sanctity of existing contracts. That is its effect.



The **PRESIDING OFFICER**. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

SEVERAL SENATORS. Vote.

Mr. MEAD. Mr. President, again I invite the attention of my colleagues of the Senate to this rather extraordinary performance. More than ever I believe that these legislative amendments should be taken up in their regular order before a legislative committee, when an appropriate bill is under consideration. This is no time for the consideration of amendments which are as far-reaching as the amendments which we are considering.

I agree with the junior Senator from Utah [Mr. MURDOCK], who explained that we voted for the appropriation for the Committee on Fair Employment Practice, and gave it a substantial majority. We then turned around and voted against the same Committee.

Mr. President, I say this is an extraordinary performance on the part of the Senate. In my judgment, this Committee will be unable to take any action during the life of an existing contract. The proposal, I believe, would prevent consideration of all cases where contracts are in effect. Even if the employees should request the Committee the pending proposal would prevent any action of the Committee to correct what admittedly is an injustice should a party to the contract hold contrary views.

Mr. President, I believe we should be consistent with our original position, and if we are in favor of this Committee we should give it a chance to function.

Mr. RUSSELL. Mr. President, I wish to correct one statement of the Senator from New York. He said that the Committee would be prevented from operating even if it were invited to do so. The amendment provides that the Committee cannot initiate any proceeding.

Mr. MEAD. Mr. President, I still believe that in a case where one party to the contract insisted on carrying out the provisions of the contract the Committee would be without jurisdiction.

SEVERAL SENATORS. Vote!

The **PRESIDING OFFICER**. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL]. [Putting the question.] The Chair is in doubt.

Mr. LUCAS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from California [Mr. DOWNEY], and will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS (after having voted in the negative). Announcing the transfer of my pair as on the previous vote, I will allow my vote to stand.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senators from Missouri [Mr. CLARK and Mr. TRUMAN], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS] and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from California [Mr. DOWNEY], and the Senator from Wisconsin [Mr. LA FOLLETTE] would vote "nay."

The Senator from South Carolina [Mr. SMITH] is paired with the Senator from Indiana [Mr. JACKSON]; and the Senator from Florida [Mr. ANDREWS] is paired with the Senator from Nevada [Mr. McCARRAN]. I am advised that if present and voting, the Senator from South Carolina and the Senator from Florida would vote "yea", and that the Senator from Indiana and the Senator from Nevada would vote "nay."

I also announce that the Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Vermont [Mr. AUSTIN]; and the Senator from Arizona [Mr. HAYDEN] has a general pair with the Senator from North Dakota [Mr. NYE].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK] has a pair with the Senator from Texas [Mr. O'DANIEL].

The Senator from Vermont [Mr. AUSTIN] has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from Ohio [Mr. TAFT], the Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. LANGER], the Senator from New Hampshire [Mr. TOBEY], the Senator from Idaho [Mr. THOMAS], the Senator from Iowa [Mr. WILSON], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], and the Senator from Connecticut [Mr. DANAHY] are necessarily absent.

The result was announced—yeas 22, nays 31, as follows:

#### YEAS—22

Bankhead	Gurney	Reed
Bilbo	Hill	Revercomb
Butler	Holman	Russell
Byrd	Johnson, Colo.	Stewart
Connally	McClellan	Wherry
Eastland	McKellar	White
Ellender	Maybank	
George	Overton	

#### NAYS—31

Aiken	Guffey	Thomas, Okla.
Ball	Hatch	Thomas, Utah
Barkley	Kilgore	Tunnell
Brewster	Lucas	Vandenberg
Burton	McFarland	Wagner
Capper	Maloney	Wallgren
Chavez	Mead	Walsh, Mass.
Davis	Murdock	Walsh, N. J.
Ferguson	Murray	Willis
Gerry	O'Mahoney	
Gillette	Pepper	

#### NOT VOTING—43

Andrews	Glass	Robertson
Austin	Green	Scruggam
Bailey	Hawkes	Shipstead
Bone	Hayden	Smith
Bridges	Jackson	Taft
Brooks	Johnson, Calif.	Thomas, Idaho
Buck	La Follette	Tobey
Bushfield	Langer	Truman
Caraway	McCarran	Tydings
Chandler	Millikin	Weeks
Clark, Idaho	Moore	Wheeler
Clark, Mo.	Nye	Wiley
Cordon	O'Daniel	Wilson
Danaher	Radcliffe	
Downey	Reynolds	

So Mr. RUSSELL's amendment was rejected.

Mr. RUSSELL. Mr. President, I now desire to call up an amendment which I had printed a few days ago.

The **PRESIDING OFFICER**. The clerk will state the amendment.

The **CHIEF CLERK**. On page 10, line 16, after the figures "\$500,000", it is proposed to insert a colon and the following: "Provided, That not more than 25 percent of the part of this appropriation which is used for the payment of compensation for personal services shall be used for the payment of compensation of persons who are members of any race comprising less than 15 percent of the total population of the United States, according to the 1940 census."

Mr. RUSSELL. Mr. President, I do not care to discuss the amendment. In my remarks on Friday last relating to the proposal before the Senate I pointed out that under the order of the President, the agency involved was to go into the Federal departments and see that there was no discrimination in employment on account of race, color, creed, or ancestry. In my opinion the Committee has performed a very notable service in carrying out the provision of the President's order.

It developed, however, that more than two-thirds of the personnel of the agency were Negroes. Certainly an agency which was established to prevent discrimination should not discriminate in such a manner as that. The Negro population of the United States is slightly less than 10 percent of the total, and, as I stated, approximately 66 percent of the employees of this agency are Negroes. This amendment would allow 25 percent Negroes, which is two and a half times the percentage of the Negro population according to the last census.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Legislative Clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I repeat the transfer of



my pair as on the last vote, and will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS. I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER], which I transfer to the senior Senator from Ohio [Mr. TAFT], who would vote as I am about to vote. I am therefore free to vote. I vote "nay."

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senators from Missouri [Mr. CLARK and Mr. TRUMAN], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER], are detained on public business. I am advised that if present and voting, the Senator from Arkansas [Mrs. CARAWAY] would vote "yea."

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS], the Senator from Iowa [Mr. GILLETTE], and the Senator from Texas [Mr. O'DANIEL] are necessarily absent. I am advised that if present and voting, the Senator from North Carolina [Mr. BAILEY] would vote "yea."

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from California [Mr. DOWNEY], and the Senator from Wisconsin [Mr. LA FOLLETTE] would vote "nay."

The Senator from South Carolina [Mr. SMITH] is paired with the Senator from Indiana [Mr. JACKSON]; and the Senator from Florida [Mr. ANDREWS] is paired with the Senator from Nevada [Mr. McCARRAN]. I am advised that if present and voting, the Senator from South Carolina and the Senator from Florida would vote "yea," and that the Senator from Indiana and the Senator from Nevada would vote "nay."

I also announce that the Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Vermont [Mr. AUSTIN]; and the Senator from Arizona [Mr. HAYDEN] has a general pair with the Senator from North Dakota [Mr. NYE].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK] has a pair with the Senator from Texas [Mr. O'DANIEL].

The Senator from Vermont [Mr. AUSTIN] has a general pair with the Senator from Virginia [Mr. GLASS].

I announce the necessary absence of the Senator from Ohio [Mr. TAFT], the Senator from Illinois [Mr. BROOKS], and the Senator from Connecticut [Mr. DANAHER]. These Senators would vote "nay."

The Senator from North Dakota [Mr. LANGER], the Senator from New Hampshire [Mr. TOBEY], the Senator from Idaho [Mr. THOMAS], the Senator from Iowa [Mr. WILSON], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], and the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

The result was announced—yeas 15, nays 37, as follows:

#### YEAS—15

Bankhead	Eastland	McKellar
Bilbo	Ellender	Maybank
Butler	George	Overton
Byrd	Hill	Russell
Connally	McClellan	Stewart

#### NAYS—37

Aiken	Hatch	Thomas, Okla.
Ball	Holman	Thomas, Utah
Barkley	Johnson, Colo.	Tunnell
Brewster	Kilgore	Vandenberg
Burton	Lucas	Wagner
Capper	McFarland	Wallgren
Chavez	Maloney	Walsh, Mass.
Cordon	Mead	Walsh, N. J.
Davis	Murdock	Weeks
Ferguson	Murray	Wherry
Gerry	O'Mahoney	White
Guffey	Pepper	
Gurney	Revercomb	

#### NOT VOTING—44

Andrews	Glass	Reynolds
Austin	Green	Robertson
Bailey	Hawkes	Scrugham
Bone	Hayden	Shipstead
Bridges	Jackson	Smith
Brooks	Johnson, Calif.	Taft
Buck	La Follette	Thomas, Idaho
Bushfield	Langer	Tobey
Caraway	McCarran	Truman
Chandler	Millikin	Tydings
Clark, Idaho	Moore	Wheeler
Clark, Mo.	Nye	Wiley
Danaher	O'Daniel	Willis
Downey	Radcliffe	Wilson
Gillette	Reed	

So Mr. RUSSELL's amendment was rejected.

Mr. MAYBANK. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

Mr. BARKLEY. Mr. President, will the Senator from South Carolina yield to me for a moment?

Mr. MAYBANK. I yield.

Mr. BARKLEY. Only 52 Senators voted on the last yea-and-nay vote. That is only two more than a quorum. I know how important it is that Senators be elsewhere now and then, but I urge Senators to remain on the floor in order that we may conclude action on the pending legislation before we recess today. Certainly final action on the measure ought not to go over until tomorrow, in view of the legislative situation, and I am sure it will not be a great hardship on Senators to remain so that we shall not find ourselves without a quorum.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The CHIEF CLERK. On page 10, line 16, after "\$500,000" it is proposed to insert a colon and the following: "Provided, That the Committee on Fair Employment Practice shall make a study of wages payable in plants owned or oper-

ated by any department or agency of the Government, and in the event it finds there is any discrimination in wages paid in such plants as between different sections or areas of the country, the committee shall so advise the departments or agencies concerned and it shall thereupon be the duty of such departments or agencies to remove such discrimination against any section or area."

Mr. MAYBANK. Mr. President, I do not think it is necessary to say anything concerning the amendment. It speaks for itself.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina.

Mr. MAYBANK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Pepper
Ball	Gurney	Reed
Bankhead	Hatch	Revercomb
Barkley	Hill	Russell
Bilbo	Holman	Stewart
Brewster	Johnson, Colo.	Thomas, Okla.
Burton	Kilgore	Thomas, Utah
Butler	Lucas	Tunnell
Capper	McClellan	Vandenberg
Chavez	McFarland	Wagner
Cordon	McKellar	Wallgren
Davis	Maloney	Walsh, Mass.
Eastland	Maybank	Walsh, N. J.
Ellender	Mead	Weeks
Ferguson	Murdock	Wherry
George	Murray	White
Gerry	O'Mahoney	Willis

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. MAYBANK].

Mr. MAYBANK. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). Repeating my announcement on the last vote, I transfer my pair with the Senator from New Hampshire [Mr. BRIDGES] to the Senator from California [Mr. DOWNEY] and will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS (after having voted in the negative). Announcing my general pair with the junior Senator from Kentucky [Mr. CHANDLER], I transfer that pair to the junior Senator from Wisconsin [Mr. WILEY], and allow my vote to stand.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senators from Missouri [Mr. CLARK and Mr. TRUMAN], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the



Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS], the Senator from Iowa [Mr. GILLETTE], and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK] has a pair with the Senator from Texas [Mr. O'DANIEL].

The Senator from Vermont [Mr. AUSTIN] has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from Ohio [Mr. TAFT], the Senator from Illinois [Mr. BROOKS], the Senator from Connecticut [Mr. DANAHY], the Senator from North Dakota [Mr. LANGER], the Senator from New Hampshire [Mr. TOBEY], the Senator from Idaho [Mr. THOMAS], the Senator from Iowa [Mr. WILSON], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

The result was announced—yeas 17, nays, 34, as follows:

## YEAS—17

Bilbo	Hill	Murdock
Chavez	Kilgore	Murray
Eastland	McClellan	Pepper
Ellender	McFarland	Russell
George	McKellar	Stewart
Hatch	Maybank	

## NAYS—34

Aiken	Guffey	Tunnell
Ball	Gurney	Vandenberg
Bankhead	Holman	Wagner
Barkley	Johnson, Colo.	Walgren
Brewster	Lucas	Walsh, Mass.
Burton	Maloney	Walsh, N. J.
Butler	Mead	Weeks
Capper	O'Mahoney	Wherry
Cordon	Reed	White
Davis	Revercomb	Willis
Ferguson	Thomas, Okla.	
Gerry	Thomas, Utah	

## NOT VOTING—45

Andrews	Downey	Overton
Austin	Gillette	Radcliffe
Bailey	Glass	Reynolds
Bone	Green	Robertson
Bridges	Hawkes	Scrugham
Brooks	Hayden	Shipstead
Buck	Jackson	Smith
Bushfield	Johnson, Calif.	Taft
Byrd	La Follette	Thomas, Idaho
Caraway	Langer	Tobey
Chandler	McCarran	Truman
Clark, Idaho	Millikin	Tydings
Clark, Mo.	Moore	Wheeler
Connally	Nye	Wiley
Danaher	O'Daniel	Wilson

So Mr. MAYBANK's amendment was rejected.

Mr. VANDENBERG. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 29, after line 19, it is proposed to insert:

## COMMITTEE FOR CONGESTED PRODUCTION AREAS

Salaries and expenses: For all expenses necessary to enable the Committee for Congested Production Areas to carry out the functions vested in it by Executive Order 9327, including travel expenses (not to exceed \$48,000); printing and binding (not to exceed \$2,550); purchase of newspapers and periodicals (not to exceed \$600); the employment of State, county, or municipal officials and employees, with or without compensation; and the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil service and classification laws (not to exceed \$15,000); \$669,000.

Mr. RUSSELL. Mr. President, the amendment offered by the distinguished senior Senator from Michigan is not yet in order. We have not concluded action on the section which is now pending, as I understand.

Mr. VANDENBERG. I made inquiry at the desk and was advised that my amendment is in order.

Mr. RUSSELL. I did not make any point of order against it. I merely understood that consideration of the amendments in the section now before the Senate had not been concluded.

The PRESIDING OFFICER. The Chair understands that all the committee amendments have been disposed of, except for the one which was reconsidered. So the amendment of the Senator from Michigan is in order.

Mr. MAYBANK. Mr. President, will the distinguished senior Senator from Michigan yield to me for a moment?

Mr. VANDENBERG. For what purpose?

Mr. MAYBANK. For the purpose of first suggesting that I am in thorough agreement with the amendment of the Senator from Michigan, and I am glad he offered it. But there are pending two amendments which I have had printed and which have been on the desks of Senators for 3 days. I am certain the Senator from Michigan would not object to having me call up one of those amendments. One of them is similar to the amendment of the Senator from Georgia [Mr. RUSSELL], which was rejected by a vote of 22 to 31. And, of course, I shall not request that it be considered. But the other relates to volunteer workers. I shall ask that it be considered.

Mr. VANDENBERG. Mr. President, I am sure the Senator will not object to having my amendment considered at this time, because it relates to the same matter.

Mr. McCLELLAN. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. If we now proceed to consideration of the amendment of the Senator from Michigan, which is not applicable to the section we have been considering, then that section of the bill is open to further amendment; is it not?

The PRESIDING OFFICER. The paragraph relating to F. E. P. C. will be open to further amendment.

Mr. McCLELLAN. The paragraph we have been considering will be open to further amendment, after the amend-

ment of the Senator from Michigan has been disposed of; will it not?

The PRESIDING OFFICER. That is correct.

Mr. VANDENBERG. Mr. President, the Committee for Congested Production Areas was organized in April 1943 to assist communities in which the influx of war workers had created innumerable problems. The Committee has finished its labors in several of the congested areas in which the problem has ceased to exist. But the problem still exists, emphatically exists, and exists to such a degree that the continued service of the Committee for Congested Production Areas is absolutely indispensable in 13 congested war production centers, namely, Seattle, Wash.; Portland, Oreg.; San Francisco, Calif.; Los Angeles, Calif.; San Diego, Calif.; Beaumont, Tex.; Mobile, Ala.; Key West, Fla.; Charleston, S. C.; Knoxville, Tenn.; Muskegon, Mich.; Detroit, Mich., at Willow Run; and Hampton, near Norfolk, Va. I think the testimony as to each of those congested areas is universal that it is absolutely indispensable to war production that the work of the Committee for Congested Production Areas shall proceed at those points. I know nothing about the sufficiency of the funds which are suggested. I make no pretense of having any information that the amount which is sought to be appropriated is the correct amount, except that it is the amount of the Budget estimate.

I am simply urgently requesting that the matter go to conference. I shall be completely content with any decision the conference makes after it confronts the facts. The trouble is that the case has not had an adequate hearing either in the House or in the Senate. In the Senate, in particular, I think there is a total lack of information. I think the members of the Appropriations Committee would be the first ones to concede that there is a total lack of information regarding this utterly indispensable function.

Therefore, Mr. President, I have offered the amendment in the form which I understand is recommended by the Bureau of the Budget, and I am asking the Senator from Tennessee [Mr. McKELLAR] to take it to conference for conclusive consideration there, because I am totally confident he will find that the amendment is necessary to the war effort beyond any peradventure.

Mr. McKELLAR. Mr. President, let me say to the Senator that in the committee—

Mr. REED. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I yield.

Mr. REED. Before the Senator from Tennessee commits himself, I desire to make a suggestion or two.

Mr. McKELLAR. Certainly.

Mr. REED. The Senator from Michigan has made a powerful appeal in the absence of all information. As a matter of fact, there was nothing before the Appropriations Committee which carried any conviction that this appropriation was necessary in any way. The requested appropriation is not unlike



half a dozen other matters of the same kind. The Secretary of Labor appeared before the committee and requested an appropriation of \$551,000 for a purpose not totally different from that contemplated by the amendment of the Senator from Michigan. That occurred half a dozen times. The Appropriations Committee turned down all such requests.

There was no information before the committee which would justify this appropriation in any degree. If the Senator from Tennessee, who is indefatigable in the discharge of his duties as acting chairman of the Appropriations Committee—and I agree with the Senator from Michigan in his statement to that effect the other day—wishes to take the matter to conference, I have no objection. But at the same time it should be pointed out that the conferees will give the matter very close examination, so as to determine whether there is any necessity for the requested appropriation.

Mr. VANDENBERG. Mr. President, if the Senator from Kansas will permit me to say so, I completely disagree with the statement he made in respect to the presentation of the evidence to the committee in the first place, because I think an adequate statement was made. But if it was not made, I am prepared to call to their feet, on the floor of the Senate, Senators from every one of the 13 communities, to have them assert that it is indispensable to the war effort that this activity should proceed. I do not retract that statement in any single phase.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. HOLMAN. In substantiation of the statement of the Senator from Michigan, let me say that I have received from Portland, Oreg., a number of telegrams to the same effect as that indicated by the Senator from Michigan.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. WHITE. I have the impression, and I ask whether it is a fact, that a subcommittee of the House Committee on Naval Affairs gave very thoughtful consideration to this matter and to related subjects. I recall that one of the Members of the House of Representatives talked to me at some length, and very earnestly, in behalf of such a proposal as the one the Senator from Michigan has advanced. However, I have no knowledge beyond that.

Mr. REED. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. REED. I do not wish to be understood as undertaking to assert that there is no congestion in any of those areas. As a matter of fact, there is congestion in a number of areas. If we are going to consider the influx of war workers as related to the size of the community, I should point out that my own home town in Kansas would furnish a shining illustration of that situation. At one time the war workers engaged in construction projects there were almost equal to the normal population of the town.

What I say is that there are a number of agencies which have been set up either by Executive order or by action of the departments to take care of these intangible, elusive, mysterious, and more or less nebulous coordinations of the various war efforts. So far as I know, all of them get at least formal support from the departments concerned with their production, and generally without very much knowledge on the part of the departmental officials as to the work they actually do.

Mr. VANDENBERG. Mr. President, there is nothing intangible and nothing elusive about the work done by this Committee in the area with which I am familiar. The city of Muskegon, Mich., which is the source of my particular interest in the matter at the moment, has received \$40,000,000 of new war contracts within the last 3 months. Of necessity the work is concentrated at that point, and it is a very serious question whether the work can continue successfully unless there be a substantial and effective coordination of uncoordinated municipal efforts at the moment at that particular point, and a coordination of many governmental agencies serving the situation. Representatives of the city of Muskegon testify to me that in respect to these contracts it is indispensable to the war effort that the work of the Committee for Congested Production Areas at that point, at least, shall continue. There is nothing elusive about it, and there is nothing which does not challenge the approval of constructive thought.

Mr. McKELLAR. Mr. President, the only testimony which was brought before the committee about this matter was the testimony of Mr. Corrington Gill. The subcommittee, by a divided vote, rejected the proposal, and when it reached the full committee it was rejected by another divided vote. The President has written a letter calling attention to the same facts to which the Senator from Michigan has adverted. For that reason I see no objection to taking the amendment to conference, and we will give it the best consideration we can give it under the facts in our possession.

Mr. VANDENBERG. That is all I can ask of the Senator, and that is what I am asking.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. VANDENBERG].

The amendment was agreed to.

Mr. BARKLEY. Mr. President, there is an amendment on page 14, in line 24, which was heretofore reconsidered. At the time I got the Senate to reconsider the vote on the amendment on June 15 I placed in the RECORD a joint letter from the Secretary of the Navy and the Secretary of War urging the restoration of the appropriation, not to the figures in the House provision, but to the Budget estimate, which amounted to \$15,596,000. That amount represents a little more than a million dollars in excess of the amount carried by the amendment, but it does not represent any increase in employment.

The reason for needing more money for the coming fiscal year, without any increase in personnel, is that the work of the National War Labor Board entails more overtime, for which the Board is obligated to pay. When overtime is disregarded, the amount asked for is less than is available for the current year. The letter from the Secretary of the Navy and the Secretary of War—and I also have a letter from Mr. Davis, Chairman of the National War Labor Board—asked for \$15,596,000, which is only sufficient to enable the agency to preserve its present personnel and pay overtime, which it will be required to pay this year in an amount which is greater than that paid last year because of conditions which then existed.

I have conferred with the Senator from Tennessee, the acting chairman of the committee, and I therefore move, on page 14, line 24, to strike out the figures "\$14,437,300" and insert in lieu thereof "\$15,250,000." That is a little more than \$300,000 less than the Board, the War Department, and the Navy Department feel will be necessary for this year, but in view of the action of the House and the committee I hope the Senator from Tennessee will agree to the amendment.

Mr. McKELLAR. Mr. President, this matter was not considered in the committee on the basis referred to by the Senator from Kentucky, but it was considered on the basis of an increase to 2,543 in the number of employees this year over last year. As I read from the report of the Budget Bureau the number of employees last year was 2,240, and now the number is 2,543, or an increase of approximately 300 employees. The Senator will find that that is the reason why an increased appropriation is requested.

Mr. BARKLEY. I have a letter from Mr. Davis, the Chairman of the National War Labor Board, which I shall not take time to read, which breaks down the amount of the appropriation recommended by the Bureau of the Budget. Later I shall ask to have the letter printed in the RECORD as a part of my remarks, for the benefit of the conferees. The letter states that the requested increase in funds is not because of an increase in the number of persons employed, but because of an increase in the amount of overtime necessary to be paid due to the longer hours which the present personnel will work.

Mr. McKELLAR. Mr. President, the increase of approximately a million dollars will hardly pay for 300 extra employees. I wish the Senator would reduce the amount to \$15,000,000.

Mr. BARKLEY. I hope the Senator will accept my amendment. The difference between \$15,000,000 and \$15,250,000 is rather inconsequential.

Mr. McKELLAR. I know it is, but I would not want to give the Senator any encouragement as to what the conference will do, and therefore I think it would be better to compromise the whole thing here, without taking it to conference. If the Senator insists upon it, I shall take it to conference under those circumstances.



Mr. BARKLEY. I hope the Senator will take it to conference and do the best he can with it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky to the committee amendment on page 14, line 24.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the letter from the Chairman of the National War Labor Board, to which I previously made reference, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL WAR LABOR BOARD,  
Washington, D. C., June 15, 1944.

HON. ALBEN W. BARKLEY,  
United States Senate,  
Washington, D. C.

MY DEAR SENATOR BARKLEY: This afternoon you were asked by Senator GEORGE on the floor of the Senate about the National War Labor Board's request for additional funds for the fiscal year 1945 appropriation, in view of the fact that the Board does not propose to increase its present level of personnel during the coming fiscal year. I would like to supply you with the pertinent information regarding this inquiry.

The National War Labor Board requested Congress to appropriate \$15,596,000 for the fiscal year 1945. Of this amount, \$1,904,883 was requested to cover overtime payments required by law. For the fiscal year 1944 Congress appropriated \$14,437,300 for the Board's operations. Of this amount, only \$346,000 was appropriated for overtime payments. Actually, the Board's overtime payments for the fiscal year 1944 exceeded \$346,000, but the Board was able to absorb the difference in view of the fact that the Board was not able to recruit personnel, because of the tight labor market, up to the authorized number until several months after the beginning of the fiscal year. However, we are now fully recruited and could not, during the coming fiscal year, absorb overtime payments from lapsed funds on the same basis as last year.

This can be explained in the following figures:

Congress appropriated for 1944, \$14,437,300.

This included the following amount for overtime payments, \$346,000.

The rest of the overtime payments which the Board was obligated by law to pay was absorbed from lapsed funds for personnel we were not able to recruit at the beginning of the fiscal year.

This year we requested Congress to appropriate \$15,596,000.

This is designed to include the following sum for overtime payments, \$1,904,883.

Thus, the actual amount requested for 1945, less overtime, is \$13,691,117.

This sum is to be compared with the following sum which was appropriated last year, not including overtime, \$14,091,300.

In other words, our request for this year is less by the following amount than appropriated last, with overtime payments excluded, \$400,183.

This fact was pointed out by me at the hearing before the House Appropriations Committee. The pertinent testimony, which appears on page 236 of the transcript of hearings before the House Appropriations Committee, was as follows:

"Mr. DAVIS. Yes, sir; I would be glad to do those things. I would like to say that approximately \$2,000,000 of this \$15,596,000 is for the purpose of overtime payments which we did not have to make last year, and which by act of Congress we have to make this year. One million nine hundred and four thousand and eight hundred and eighty-three dollars is for the overtime payments.

"The CHAIRMAN. You were given \$346,000. Now, you absorbed the difference, did you?

"Mr. DAVIS. Yes, sir; that is right.

"The CHAIRMAN. And you will make every effort to absorb as much of it as possible this year, I take it?

"Mr. DAVIS. Yes, sir; that is right, but actually, taking into account that approximately \$2,000,000 for overtime payments, our appropriation, the net appropriation of \$13,700,000 is less than we had last year applicable to our actual running expenses, aside from overtime. Do you see what I mean? We are asking here for a total really of \$13,700,000 in comparison with last year when we asked for \$14,091,000. That is almost exactly \$500,000 less."

In addition, you were asked on the floor of the Senate for the break-down for the \$15,596,000 which the National War Labor Board requested in 1945. The transcript of hearings before the House Subcommittee of the Committee on Appropriations, page 293, includes the enclosed table which contains the necessary information.

Yours sincerely,

WILLIAM H. DAVIS,  
Chairman.

	Number of employees as of Mar. 15	Cumulative obligations as of Mar. 15	Estimated obligations, fiscal year 1944	Proposed number of employees 1945	Estimated expenses, 1945
Personal services:					
Per annum.....	2,369	\$4,533,214	\$6,264,493	2,337	\$6,135,680
Per diem.....		763,639	1,045,162		1,097,080
Travel.....		698,665	951,898		1,060,000
Transportation of things.....		3,698	4,367		4,800
Communication services.....		216,050	307,805		252,400
Rents and utility services.....		329,170	458,362		440,400
Printing and binding.....		27,769	36,970		31,300
Miscellaneous contractual services.....		162,618	259,659		224,200
Supplies and materials.....		133,318	158,023		93,500
Equipment.....		92,670	107,235		23,400
Special projects.....		4,226,773	4,903,326		5,041,000
Total.....		11,187,584	14,437,300		14,403,760
Overtime.....					1,190,540
Additional pay for foreign services.....					1,700
Total, departmental and field.....	2,369	11,187,584	14,437,300	2,337	15,596,000

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment.

Mr. MAYBANK. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

Mr. President, I should like to say with reference to the amendment that I do not think the people should be working for the Government unless they are on the pay roll and unless they take an oath of office. It is not my purpose to ask for a year-and-nay vote, but I ask the Chair to put the question.

Mr. BARKLEY. Does the Senator's amendment mean that if there is someone, either now in this agency, or who might be willing to serve it without compensation, he would be denied the opportunity of doing so?

Mr. MAYBANK. That is correct, insofar as looking into and bringing cases against private business or Government agencies is concerned. Very frankly, I believe that the compensation could be small, it might be only a few dollars, so long as the oath of office is taken.

Mr. BARKLEY. One of the glories of the conduct of the American people in this war is that in all branches of the service so many persons have been willing to render service to the Government without pay.

Mr. MAYBANK. To that I thoroughly agree.

Mr. BARKLEY. That applies to the ration boards, to the O. P. A., to the Selective Service, to many departments of the Government which are engaged in war activities, and it is one of the things which I think is to the credit of the American people. When the war is over, and we ascertain the number of people who have been willing to do the best they could, and render service without compensation, it will be a very creditable and to some extent an amazing record.

Mr. MAYBANK. If the distinguished majority leader will yield to me on that point, I thoroughly agree with him, and I am happy the Senator brought out that point. My mind goes back to the great work the Senate of the United States did in preparing this country for war. The Senator mentioned the Selective Service. A law was passed suggesting that the governors of the States appoint, and submit in a constitutional manner to the President of the United States, the names of those to serve on the draft boards, the names of doctors, the names of all who would have to do with the proceedings and activities of the boards.

Likewise under the O. P. A. regulations, the governors of the States were asked to suggest defense counsel. They were constitutionally appointed. They were appointed by the governors of the States, or by the President of the United States, upon the recommendation of one or the other. I am happy that in my short span of life I have been associated with so many volunteers, not only those who volunteered on the ration boards, but others.

When the Congress of the United States by the law it passed asked the

<sup>1</sup> Includes overtime.

Excerpt from hearings before the Subcommittee on Appropriations, House of Representatives, Tuesday, Mar. 28, 1944, p. 293.



governors of the States to submit to the President not only the names of those to serve on the Selective Service boards, but the names of those who volunteered in war work, the governors did so. I thoroughly agree with the distinguished Senator from Kentucky. I had no idea of suggesting an amendment which would in any way reflect on the service to this country in time of war of any individual, and I know that the majority leader did not mean to infer that my amendment would do that.

Mr. BARKLEY. Of course, I did not mean that. The point is, why deny people, who are willing an opportunity to serve in connection with the committee now under discussion, any American who is willing to serve without compensation, when we are not taking such action as to any other activity?

Mr. MAYBANK. Very frankly, the general police powers of this country and of any State, as the Senator knows, are entirely different from those affecting volunteers on ration boards or in the selective service. While I am not asking for a yea and nay vote, I am conscientious in believing that the United States Government has sufficient money to pay those who are supposed to go around and look into complaints of some businessman, or someone else.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina.

Mr. MAYBANK. One moment, Mr. President. The majority leader brought up the subject of the volunteer work being done by the people of this country, and I am happy he did so. I want to have the record clear. My thought in connection with this is that where investigations under this Committee with police power are ordered, a committee for which \$500,000 is appropriated, they should be undertaken by paid workers or those who have taken the oath of office. We need volunteers to assist in the war effort, but to turn the police powers of the Government of the United States over to individuals who have not taken the oath of office, and who are responsible to no one except some member of the Fair Employment Practice Committee who may appoint them, is a mistake.

Mr. BARKLEY. I do not wish to delay a vote. I merely raised the question because it seems to me a little unusual that, inasmuch as in all the other agencies, the people are permitted to render service without charging for it, we should make it impossible for anyone to render service in connection with the agency under discussion without paying them.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. MAYBANK]. [Putting the question.]

Mr. EASTLAND. I ask for a division.

On a division, the amendment was rejected.

Mr. PEPPER. Mr. President, I ask unanimous consent that I may move to reconsider the vote by which an item was agreed to, and I should like leave to make a brief explanation. It pertains to the appropriation for Federal and State co-

operation through the Office of Civilian Defense.

The House of Representatives reduced the appropriation for the Office of Civilian Defense from \$4,700,000 for the year 1944 to \$1,000,000 for the year 1945. However, the House committee stated in its report, on page 11, as follows:

In making the decrease of \$139,000 in the Budget estimates, the committee feels that it has provided the irreducible minimum for a Federal program of leadership in civilian defense considering the lessened danger of attack, but viewing the home-front activities which are carried on by State and local councils and their contribution to the war effort. All danger of coastal attack of some character is not definitely past, and those regions are entitled to and should continue to receive attention.

Mr. President, as I have said, in this item the House of Representatives provided \$538,500 for the Federal-State co-operation program for civilian defense. That is a part of the civilian-defense activity in which the volunteer work of all citizens is coordinated through State and local councils by the Federal Government, through the Office of Civilian Defense.

As I have said, the House of Representatives cut \$100,000 from a Budget estimate of \$638,000, but the House committee said, in making the cut, that that was, in its opinion, the irreducible minimum, in fairness to the public interest being served by this agency.

The Senate Committee on Appropriations took action, which has been ratified already by the Senate, cutting another 25 percent off the appropriation, bringing it down to \$403,000. I know that the officials of the Civilian Defense Agency, and persons from several States, have contacted a number of Senators, and it is felt that a grave injustice will be done to this volunteer program, which embraces 11,000 local councils and 11,000,000 citizen volunteers working through the program.

So, Mr. President, I ask unanimous consent that the Senate reconsider the vote by which the figure \$403,875, which is the committee amendment, was agreed to, on page 9, line 18, of the pending bill, so that we may have a vote, not a record vote, but a vote, on whether the Senate would like to concur in the House item, which the House said provided the irreducible minimum.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida?

Mr. McKELLAR. Mr. President, I shall not object to the Senator's request to reconsider the vote, but I appeal to the Senate in this matter not to vote these sums back into this appropriation bill.

The House allowed a million dollars, in all, for the Office of Civilian Defense. We all know what that is. There is not one one-thousandth of the danger there was when this organization was started. We have gradually reduced the appropriation from year to year, as the danger has passed. At present we are not doing much more than keeping the skeleton of the organization, and retaining some people in office. The committee

thought a reduction from a million dollars to \$750,000 was a very modest cut.

I do not think there was a member of the committee who did not agree respecting the several amendments aggregating \$250,000. I am willing that the Senator from Florida shall have unanimous consent to reconsider the vote by which the committee amendment was adopted, but when a vote is taken on the question I beseech the Senate not to provide for \$250,000 additional to be spent absolutely uselessly. As a matter of fact, I think the amount of \$750,000 provided for the Office of Civilian Defense is too much.

Mr. REED. It is too much; yes.

Mr. McKELLAR. But if there is any evidence that can be brought forth to justify that amount it can be brought to the attention of the conferees.

Mr. REED. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. REED. I join with the Senator from Tennessee in the statement he has just made.

Mr. McKELLAR. I thank the Senator.

Mr. REED. Of course, as a matter of courtesy to the Senator from Florida, if he wants a reconsideration of the vote by which the amendment was agreed to, it should be granted him. There is nothing left of the O. C. D. except a glorified boondoggling proposition. Instead of giving the O. C. D. \$750,000 we ought to cut it down to \$250,000 and tell them to wind up their work quickly. The country is no longer in danger of invasion. We no longer need black-outs. The O. C. D. was overexpanded to begin with, even at a time when there was an element of danger, which has now disappeared. It is now silly to continue these appropriations when there is no need for them. I believe a further cut should be made in the appropriation instead of stopping with the moderate cut which has been made.

Mr. McKELLAR. I agree with the Senator from Kansas thoroughly.

Mr. PEPPER. Mr. President, I ask unanimous consent that the vote by which the committee amendment on page 9, line 18, to strike out "\$538,000" and to insert "\$403,875" was agreed to, be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which the committee amendment was agreed to is reconsidered.

The question now is on agreeing to the committee amendment.

Mr. PEPPER. Mr. President, I should like to say a word now in opposition to the committee amendment. I wish to thank all Senators, and especially the able Senator from Tennessee, for his courtesy. The able Senator is in error, however, when he says that I am asking that the appropriation be increased by \$250,000. I only wish to restore the House appropriation respecting the Federal-State cooperative program, and not to restore even to the House item that part of the appropriation dealing with the preservation of property. There was a cut of about \$39,000 by the Senate committee respecting the preservation of the Federal property owned by the O. C. D.,



but we will let that pass. I address myself only to the substitution of the House figure of \$538,500 on page 9, line 18, for the Senate figure of \$403,875.

Mr. McKELLAR. Is that the only item respecting which the Senator asks for a reconsideration of the vote?

Mr. PEPPER. That is all.

Mr. McKELLAR. Exactly the same situation applies to this item that applied to other amendments. The House figure ought not to be allowed. The amount of \$403,875 which the Senate committee allowed is more than sufficient to do the work, and I hope the Senate will vote down the proposed amendment of the Senator from Florida.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. The vote by which the amendment was agreed to having been reconsidered, the matter is now before the Senate, as I understand, in the form in which it came from the Senate Committee on Appropriations. The committee amendment reduced the appropriation. Therefore the vote is on the committee amendment, and there is no amendment being offered to it, as I understand.

Mr. McKELLAR. Then, if that be the case, I move the adoption, if I may, of the amendment as reported by the Senate committee, of \$403,875. Those who believe the Senate committee was correct in presenting that figure will vote "yea." I hope the majority of the Senate, if not all Members present, will vote "yea."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 9, line 18, to strike out "\$538,500" and insert "\$403,875."

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. McCLELLAN. Mr. President, I merely wish to make this statement. The hour is late. A good many Senators have already left the Chamber. I assume we will be unable to obtain a yeand-nay vote on the final passage of the bill.

Mr. President, I favor all the appropriations contained in the bill except the one for the continuation of the F. E. P. C. I cannot vote for the bill with that appropriation in it. I wish the RECORD to show that I still oppose the appropriation for the F. E. P. C., and shall vote accordingly.

Mr. EASTLAND. Mr. President, I want the RECORD to show that I favor all the appropriations contained in the bill except the appropriation for F. E. P. C., and, therefore, because that appropriation is now in the bill, I shall vote against the entire bill.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H. R. 4879) was passed.

Mr. McKELLAR. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKELLAR, Mr. GLASS, Mr. HAYDEN, Mr. TYDINGS, Mr. RUSSELL, Mr. NYE, Mr. HOLMAN, and Mr. BROOKS conferees on the part of the Senate.

#### EXTENSION OF EMERGENCY PRICE CONTROL AND STABILIZATION ACTS—AUTHORITY TO FILE CONFERENCE REPORT

Mr. WAGNER. Mr. President, the conferees have agreed upon a report to be made as a result of the conference on the bill (S. 1764) to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes. The report probably will not be ready for another hour or two, and I ask unanimous consent that I may file the report during the recess between now and tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

[Mr. WAGNER subsequently submitted the conference report on the bill (S. 1764) to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes. For conference report see p. 6372 of the RECORD of today's House proceedings.]

#### DEPARTMENT OF AGRICULTURE APPROPRIATIONS—CONFERENCE REPORT

Mr. THOMAS of Oklahoma obtained the floor.

Mr. RUSSELL. Mr. President, if the Senator from Oklahoma does not object I should like to dispose of the conference report on the agricultural appropriation bill. I do not think it will take more than 2 or 3 minutes.

Mr. THOMAS of Oklahoma. I yield for that purpose.

Mr. RUSSELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4443) "making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1945, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 22, 24, 33, 37, 50, 51, 54, 55, 57, 67, and 69.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 18, 19, 20, 21, 23, 28, 29, 34, 35, 36, 38, 42, 44, 45, 47, 56, 58, 64, and 68, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,160,552"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amend-

ment insert "\$2,375,236"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by said amendment, insert the following: "Provided, That the cost of erecting any one building, except head houses connecting greenhouses, shall not exceed \$2,500, and the cost of alterations to any one building shall not exceed \$500 or 2 per centum of the cost of the building as certified by the Secretary, whichever is greater, but in no event to exceed \$2,500"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$353,639"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$25,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$951,611"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$506,348"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$71,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by said amendment, insert the following: "Provided further, That no part of this appropriation shall be used for agricultural wage stabilization with respect to any commodity unless a majority of the producers of such commodity within the area affected have requested the intervention of the Administrator of the War Food Administration"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "(or in the case of perishable fruits and vegetables if there is danger of deterioration or of accumulation of stocks)"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$350,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "Provided further, That in the State of









ing and Currency Committee, with whom I have been associated so pleasantly, why it is that the conferees decided to eliminate that investigating committee which we set up in the House.

Mr. SPENCE. Mr. Speaker, the conferees thought that would only bring trouble on the Committee on Banking and Currency, and would serve no useful purpose. After giving the matter consideration, I agree with them.

Mr. BARRY. Mr. Speaker, will the gentleman yield at that point?

Mr. SPENCE. Yes.

Mr. BARRY. Is it not true that some Members suggested that the Congress or the committee now has that power without passing other legislation?

Mr. SPENCE. Yes. There is no question but what the committee has the power to investigate the activities of the O. P. A. without any special committee being created.

Mr. ROLPH. Mr. Speaker, I certainly hope the committee in the future will use and exercise that power.

Mr. SPENCE. Mr. Speaker, I do not intend to discuss the many amendments in the bill. But I think we have brought back a bill which is an excellent one. I am quite sure it is going to meet with the approval of the House. Other Members will discuss the technical features of the bill. But I think I wanted to clear up the general misconception in regard to the Emergency Court of Appeals. There has been so much misunderstanding about the Emergency Court of Appeals, many of the Members here had seemed to think it was an O. P. A. court. It is not only an independent court, but it is a splendid court, composed of splendid judges, who have only one desire and that is to do justice to the litigants who come into their court.

The SPEAKER. The time of the gentleman has expired.

[Mr. WOLCOTT addressed the House. His remarks will appear hereafter in the Appendix.]

#### WAR DEPARTMENT APPROPRIATION BILL, 1945—SENT TO CONFERENCE

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4967) making appropriations for the Military Establishment for the fiscal year ending June 30, 1945, and for other purposes, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. SNYDER, STARNES of Alabama, MAHON, POWERS, ENGEL of Michigan, and CASE.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL, 1945—SENT TO CONFERENCE

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4861) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30,

1945, and for other purposes, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. COFFEE, ANDERSON of New Mexico, NORRELL, WHITTEN, STEFAN, DWORSHAK, and JENSEN.

#### EXTENSION OF EMERGENCY PRICE CONTROL AND STABILIZATION ACT OF 1942

Mr. SPENCE. Mr. Speaker, I yield 5 additional minutes to the gentleman from Michigan.

[Mr. WOLCOTT addressed the House. His remarks will appear hereafter in the Appendix.]

Mr. SPENCE. Mr. Speaker, I yield 8 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

(Mr. MONRONEY asked and was given permission to revise and extend his own remarks in the RECORD.)

[Mr. MONRONEY addressed the House. His remarks will appear hereafter in the Appendix.]

Mr. SPENCE. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, I simply want to observe that here is a unanimous report by Democrats and Republicans, northerners and southerners, by people who are vitally interested not only in the cotton crop but in all other crops. In my opinion, you have before you a unanimous agreement from the conferees because they believe that in this presentation made to the two bodies there is procedure put down in words which will be more acceptable to the people of this country, than is the old law.

I think every member of the conference committee is fully aware that a law of this kind can never be reasonably administered without what might be said to be an overwhelming support of the people of the United States. I think it is reasonable to assume that perhaps 10 to 15 percent of the people might not go along with a measure of this kind, but if 90 percent go along, the law can be successfully administered.

As one of the conferees, I have desired all the way through to have a law which is bearable by the people of the United States. I think if the two bodies adopt this proposal, that this law, as here revised, will be much more acceptable and much more bearable than has been the old law to the people of the United States. That is primarily the reason why I am going along with this proposal.

I believe, Mr. Speaker, that the people of our country, the Congress, the Administrator, and the staff of O. P. A. have all learned a lot, since the hearings opened April 12, about the problems of administration and the intricacies and miseries to the people which are all involved in such a program as the O. P. A. embraces. I was opposed to an extension of the law for 18 months because I am one who wants the whole procedure reviewed

again within another 12 months' period. A law which so intimately and so terribly affects our people and their economy is one which we can well afford to spend the time and energy in reviewing once every 12 months, if necessary.

I hope that the progress with the war will be such that before another 12 months roll around our economy will change to such an extent that it will be necessary to materially alter this proposal again. That is my devout hope. I think we have some reason to believe that that may occur. I think the hearings have fully demonstrated that some kind of a control will be urged by the people of this country on into the post-war period. What that control will be, I do not know, but I think the Congress will find in the hearts and minds of the people a desire for some kind of a control fitting into our economy as best it can be made to do so.

I accept the statements of the legal minds on our committee with respect to the revised legal procedure here established, but as a layman I feel that our citizens will be recognized as having a great many more rights under this new procedure than were granted to them under the law which expires June 30. With respect to the so-called Rivers amendment, if this law is extended for only 1 year, and if the 1944 crops are already largely planted, what could you do with that amendment other than what the conference committee has recommended?

And finally, Mr. Speaker, it is my hope that the Congress has greatly benefited under the hearings and the debate and serious consideration that has been given to these questions and problems during the past 8 weeks. Every Member of this body wants this law to be a success. We want our administrators to do the right and equitable and fair thing at all times when they are dealing with the economic rights of our people. We want the law to be so bearable that it will compel the cooperation of our people with the administrators and the Congress. But if we are to expect the people to go along with the program it must at all times be a fair one, and by this I mean just as fair and equitable as strong men of great character and a keen sense of equity can make it. The Congress and the people must at all times be very vigilant when the rights of people are, even just temporarily, set aside and all in the name of war or a great national emergency. By no means do I want the general situation to develop wherein these great national emergencies will be continued, thus giving an excuse for the argument that the rights of citizens must continue to be set aside. There will come a day when strong men can no longer justify a great national emergency. There will come a day when our people will demand that those responsible either end the emergency or get off the job. Our people are long-suffering; they will go for long periods and travel long distances without too much complaint but eventually they comprehend the general objective and demand results; then the trifling must end. So now let us approve the conference report and be on our way,



Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS. Mr. Speaker, I trust the conference report will receive the unanimous vote of the House. I have been particularly interested, as you know, in those features of the report dealing with the cotton problem. There were strong differences between myself and the gentleman from Georgia [Mr. BROWN]. Since then I have conferred with him about this particular part of the report. This represents a compromise. Sometimes compromises are due to mildness of conviction, but in this case, after the House voted adversely upon the Brown amendment, we find him giving to the conference the benefit of his constructive thought on this problem in an effort to be fair to all interests. I am entirely in agreement with the views that are embodied in this part of the report. May I take advantage of this opportunity to pay tribute to the gentleman from Georgia for the fine attachment and continuous loyalty he has shown to the farmers of this country and for the contribution he has made to a compromise that I think will achieve some of his objectives, and at the same time maintain the stabilization program. I appreciate him, and appreciate the type of statesmanship that he has manifested throughout these deliberations.

#### WAR AGENCIES APPROPRIATION BILL, 1945

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER appointed the following conferees: Mr. CANNON of Missouri, Mr. WOODRUM of Virginia, Mr. LUDLOW, Mr. SNYDER, Mr. NORRELL, Mr. RABAUT, Mr. JOHNSON of Oklahoma, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. POWERS.

#### EXTENSION OF EMERGENCY PRICE CONTROL AND STABILIZATION ACTS OF 1942

Mr. SPENCE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. KLEBERG].

Mr. KLEBERG. Mr. Speaker, at the outset I desire to commend the conferees for as good a job, I am sure, as they could do under the circumstances. I particularly desire, as a member of the Committee on Agriculture, and one interested in agriculture, to commend the gentleman from Georgia [Mr. BROWN] and the gentleman from Michigan [Mr. CRAWFORD] for their fine work.

In voting for the adoption of the conference report, which vote is for the extension of the Price Control Act for 1 year, I am acting with great reluctance and considerable apprehension. I have

no quarrel with the basic law as an emergency measure. The principle of this law I support wholeheartedly, but, having in mind the horrible mistakes and grave injustices that have occurred in the administration of a basically sound law, I vote with much trepidation and with the sincere hope that administrative evils will be cured and other like evils avoided in the future.

While the conference substitute does not contain the specific language of the amendment I offered to the act and which was adopted by the House, let me express appreciation that the report shows that this amendment is, in reality, a part of the reported bill. By the adoption of broader language and by specifically calling attention to the fact that this broader language and the directive to the President is intended to accomplish the purpose of my amendment, the conferees have actually adopted my amendment in its broadest sense.

It is my earnest hope that the administrative agencies will promptly take such action as may be required to comply with the clear and explicit intent of the Congress as that intent is expressed in this conference report.

May I ask the committee if in their opinion the amendment offered by the gentleman from North Carolina [Mr. RIVERS] is in any way changed from the form in which it originally passed the House, with particular respect to the basic purpose that the price intended to be set be given to the producers 15 days before the crop is put in the ground?

Mr. SPENCE. The amendment was revised by the legislative counsel. He thought we could put it in better form.

Mr. KLEBERG. It is the purpose, however, to carry out the intent of the Rivers amendment?

Mr. SPENCE. Yes.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. PACE].

[Mr. PACE addressed the House. His remarks will appear hereafter in the Appendix.]

[Mr. PACE asked and was given permission to revise and extend his remarks in the RECORD.]

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. IZAC].

Mr. IZAC. Mr. Speaker, the conferees placed in the bill a rewrite of the amendment I introduced on rent control. It covers those classes of cases where a substantial hardship has resulted since the maximum rent day for substantial and unavoidable increase in property taxes or operating costs. There are three substantials in this paragraph. I am wondering what we are to believe those three substantials indicate and what interpretation will be placed on those words by the Administrator. If it is administered in justice and fairness to the tenants and the owners of property, I am sure it will be all right, but I am glad to see that the committee expects to come back 1 year from now and have an ac-

counting from the Administrator as to how he has administered this act.

Mr. Speaker, I believe certain comments regarding the agreement reached by the conference is in order. It is very evident that unless the Administrator is trying to hide behind a subterfuge in doing justice in small rent cases he should have been willing to accept the wording of my amendment as contained in the bill which passed the House. No one knows just how the word "substantial" will be construed nor what regulations will be issued implementing the sentence which represents the modified version of my amendment.

I believe it is also pertinent to point out that in the amendment as accepted by the conference cognizance will be taken of hardship cases where there is an increase in property taxes or operating costs but not in case of a decrease. My amendment tried to be fair to both owners and tenants. The conference amendment favors just one side. It can be seen from this therefore if the owner milks the property and does not maintain it normally the resulting decrease in cost is not recognized for tenant adjustments.

Then there is the word "unavoidable" which differs from my amendment. Anyone can "avoid" increased costs if he does not maintain the property in proper operating condition. In the case of the word "hardship" I am wondering if the Administrator would try to relieve an owner from suffering a substantial loss from operating rental property or if he would expect the owner to withdraw savings or other earnings to make up this loss just to keep the rental doors open. I notice also that the provision for adjustment of inequities in multiple-unit properties is eliminated. This was contained in my amendment and is in accordance with the law in Canada. Can it be that the Administrator is fighting a rear-guard action and trying to avoid doing what is so obviously the intent of Congress, namely, the adjusting of rents on a basis of fairness and equity?

I insist that the only time that this was before the House and the sentiment of the House could be clearly indicated was when my amendment was on the floor and received a favorable vote of 96 to 67. If the intent of Congress as conclusively shown by the debate on my amendment and the resulting vote is followed by the Administrator I am sure we will have no cause to complain. If, however, there is a deliberate attempt by the Administrator to sabotage this amendment and if the conference committee's rewording of my amendment gives the Administrator the subterfuge that he could avail himself of to defeat the intent of Congress, then I propose to the people of all the defense-rental areas that they bring such nullification to the attention of the individual Members of Congress and there will undoubtedly be a day of retribution to follow.

I await with considerable interest the regulations to be drawn up following the passage of this bill.

They have eliminated the amendment by the gentleman from Michigan [Mr.









## NATIONAL WAR AGENCIES APPROPRIATION BILL, 1945

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JUNE 22, 1944.—Ordered to be printed

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Mr. CANNON of Missouri, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany H. R. 4879]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 7, 17, 19, 20, and 21.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 8, 9, 10, 13, 14, 15, 18, 22, 23, 24, 25, 26, and 27, and agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11 and agree to the same with an amendment as follows:

In lieu of the sum proposed insert \$375,000; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows:

In lieu of the sum proposed insert \$778,875; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows:

In lines 14 and 15 of the matter inserted by said amendment, strike out the words "may result in", and insert in lieu thereof the words: *seeks to effect*; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 5.

CLARENCE CANNON,  
C. A. WOODRUM,  
LOUIS LUDLOW,  
J. BUELL SNYDER,  
EMMET O'NEAL,  
JED JOHNSON,  
JOHN TABER,  
R. B. WIGGLESWORTH,  
W. P. LAMBERTSON,  
D. LANE POWERS.

*Managers on the part of the House.*

KENNETH MCKELLAR,  
RICHARD B. RUSSELL,  
M. E. TYDINGS,  
RUFUS C. HOLMAN,  
C. WAYLAND BROOKS.

*Managers on the part of the Senate.*



## STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4879), making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Nos. 1, 2, and 3, relating to the Office of Censorship: Makes technical corrections as proposed by the Senate.

Nos. 4 and 27, relating to the Selective Service System: Appropriates \$62,500,000 as proposed by the Senate, instead of \$61,500,000 as proposed by the House, and transfers the item to the point in the bill proposed by the Senate.

Nos. 6 and 7, relating to the Division of Central Administrative Services of the Office for Emergency Management: Appropriates \$7,783,000 as proposed by the House, instead of \$8,356,000 as proposed by the Senate, and provides, as proposed by the House, that functions and funds may be transferred from the agency to other agencies, instead of providing, as proposed by the Senate, that functions and funds may be transferred to the agency from other agencies.

Nos. 8, 9, 10, 11, and 12, relating to the Office of Civilian Defense: Appropriates \$778,875, instead of \$750,000 as proposed by the Senate and \$1,000,000 as proposed by the House; provides that \$375,000 of the total shall be available for the care of property, instead of \$461,500 as proposed by the House and \$346,125 as proposed by the Senate and provides for all other expenses in the amounts of the Senate amendments.

Nos. 13, 14, 15, and 16, relating to the Committee on Fair Employment Practice: Provides, as proposed by the Senate, for expenses of the committee in carrying out any functions "lawfully" vested in it by Executive orders; fixes the salary of the Chairman at \$8,000 as proposed by the Senate instead of \$10,000 as proposed by the House; and inserts the following limiting proviso:

*Provided*, That no part of the funds herein appropriated shall be used to pay the compensation of any person to initiate, investigate, or prosecute any complaint against any defendant where such defendant does not have the same right to appeal an adverse decision of the Committee on Fair Employment Practice to the President of the United States, or to refer said complaint to the President of the United States for final disposition, as is asserted by or allowed the said Committee on Fair Employment Practice in cases where persons complained against refuse to abide by its orders: *Provided further*, That no part of this appropriation shall be used to pay the compensation of any person to initiate, investigate, or prosecute any proceeding against any person, firm, or corporation which seeks to effect the seizure or operation of any plant or other property of such person, firm, or corporation by Federal authority for failure to abide by any rule or regulation of the Committee on Fair Employment Practice, or for failure to abide by any order passed by the Committee on Fair Employment Practice: *Provided further*, That no part of the funds herein appropriated shall be used to pay the compensation of any person employed by said Committee on Fair Employment Practice who issues or attempts to enforce any rule, regulation, or order which repeals, amends, or modifies any law enacted by the Congress.

No. 17, relating to Office of Coordinator of Inter-American Affairs: Appropriates \$18,000,000 as proposed by the House instead of \$17,000,000 as proposed by the Senate.

No. 18, relating to the Office of Defense Transportation: Appropriates \$17,000,000 as proposed by the Senate, instead of \$18,000,000 as proposed by the House.

Nos. 19 and 20, relating to the National War Labor Board: Appropriates \$15,000,000 as proposed by the House instead of \$15,250,000 as proposed by the Senate; and limits the amount for travel to \$1,000,000 as proposed by the House instead of \$1,060,000 as proposed by the Senate.

Nos. 21, 22, 23, 24, and 25, relating to the Office for War Information: Makes technical corrections in the text of the appropriation as proposed by the Senate; fixes the amount for the Domestic Motion Picture Bureau at \$54,428 as proposed by the Senate instead of \$50,000 as proposed by the House; and fixes the limitation on the amount that may be used for the Domestic Operations Branch at \$2,200,000 as proposed by the House instead of \$2,464,633 as proposed by the Senate.

No. 26: Fixes the salary of the Chairman of the Board of Directors of the Smaller War Plants Corporation at \$10,000 as proposed by the Senate.

#### DISAGREEMENTS

Amendment No. 5 relating to the Committee for Congested Production Areas is reported in disagreement.

CLARENCE CANNON,  
C. A. WOODRUM,  
LOUIS LUDLOW,  
J. BUELL SNYDER,  
EMMET O'NEAL,  
JED JOHNSON,  
JOHN TABER,  
R. B. WIGGLESWORTH,  
W. P. LAMBERTSON,  
D. LANE POWERS,

*Managers on the part of the House.*



and the nomination will be indefinitely postponed.

# RECESS

The Senate resumed the consideration of legislative business.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair. The Senator from Tennessee [Mr. McKellar] advises me that within 30 minutes or a little more he expects to have four appropriation bills ready for final action.

Mr. McKELLAR. There will be three, at least, and perhaps four. I am merely telling the Senator what I have been told.

Mr. BARKLEY. Even three would represent considerable progress.

Mr. WHITE. Mr. President, does the Senator refer to appropriation bills which will have to go to conference?

Mr. McKELLAR. Oh no. I am referring to conference reports.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess subject to the call of the Chair.

Thereupon (at 5 o'clock and 25 minutes p. m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled, at 7 o'clock and 7 minutes p. m., when it was called to order by the Presiding Officer (Mr. Hill in the chair).

# MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the bill (S. 1826) to amend section 6 of the act of July 2, 1940 (54 Stat. 714), relating to the exportation of certain commodities, and to continue said act in effect.

The message also announced that the House had passed the bill (S. 1973) to provide additional pay for enlisted men of the Army assigned to the Infantry who are awarded the expert infantryman badge or the combat infantryman badge, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3126) for the relief of Mary Ellen Frakes, widow of Joseph A. Frakes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4861) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1945, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 17, 20, 22, 23, 27, 28, 31, and 32 to the bill and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 21, 24, and 25 to the bill and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of

the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4967) making appropriations for the Military Establishment for the fiscal year ending June 30, 1945, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 1 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate numbered 3 to the bill and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5040) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1944, and June 30, 1945, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON of Missouri, Mr. WOODRUM of Virginia, Mr. LUDLOW, Mr. SNYDER, Mr. O'NEAL, Mr. JOHNSON of Oklahoma, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. POWERS, were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H. R. 3270) to affirm the intent of the Congress that the regulation of the business of insurance remain within the control of the several States and that the Acts of July 2, 1890, and October 15, 1914, as amended, be not applicable to that business, in which it requested the concurrence of the Senate.

# HOUSE BILL REFERRED

The bill (H. R. 3270) to affirm the intent of the Congress that the regulation of the business of insurance remain within the control of the several States and that the Acts of July 2, 1890, and October 15, 1914, as amended, be not applicable to that business, was read twice by its title and referred to the Committee on the Judiciary.

# APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. O'MAHONEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4861) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1945, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 12.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 10, 13, 14, 15, 16, 18, 26, 29, and 30, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert

"\$9,767,200"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$800,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$59,900"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 17, 20, 21, 22, 23, 24, 25, 27, 28, 31, and 32.

JOSEPH C. O'MAHONEY,  
JOHN H. OVERTON,  
ELMER THOMAS,  
RUFUS C. HOLMAN,  
HAROLD H. BURTON,

*Managers on the part of the Senate.*

JOHN M. COFFEE,  
CLINTON P. ANDERSON,  
W. F. NORRELL (with  
reservation),  
KARL STEFAN,  
HENRY C. DWORSHAK,

*Managers on the part of the House.*

Mr. O'MAHONEY. Mr. President, as I stated yesterday when the appropriation bill for the District of Columbia was before the Senate, no controversial items were involved in the bill as reported by the committee. The changes made by the Senate involve a total of approximately \$531,000 more than had been appropriated by the House, and there were several minor amendments.

At the conference this morning an agreement was effected within a few hours, without any disagreement, between the Senate and the House. We feel that the conference report has the unanimous support of the Subcommittee on Appropriations for the District of Columbia.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4861, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,

June 22, 1944.

*Resolved*, That the House recede from its disagreement to the amendments of the Senate numbered 17, 20, 22, 23, 27, 28, 31, and 32 to the bill (H. R. 4861) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1945, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 21 to said bill, and concur therein, with an amendment as follows: In lieu of the sum inserted by said amendment, insert "\$1,480,000."

That the House recede from its disagreement to the amendment of the Senate numbered 24 to said bill, and concur therein, with an amendment as follows: In lieu of the matter inserted by said amendment, insert "one superintendent at \$8,000 per annum";



That the House recede from its disagreement to the amendment of the Senate numbered 25 to said bill, and concur therein, with an amendment, as follows: In lieu of the sum inserted by said amendment insert "\$2,172,000."

Mr. O'MAHONEY. I move that the Senate concur in the amendments of the House to the amendments of the Senate Nos. 21, 24, and 25.

The motion was agreed to.

#### APPROPRIATIONS FOR THE MILITARY ESTABLISHMENT

Mr. RUSSELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4967) "making appropriations for the Military Establishment for the fiscal year ending June 30, 1945, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 6, and 7, and agree to the same.

The committees of conference report in disagreement amendments numbered 1 and 3.

ELMER THOMAS,  
RICHARD B. RUSSELL,  
JOHN H. OVERTON,  
CHAN GURNEY,  
C. WAYLAND BROOKS,

*Managers on the part of the Senate.*

J. BUELL SNYDER,  
JOE STARNES,  
JOHN H. KERR,  
GEORGE MAHON,  
D. LANE POWERS,  
ALBERT J. ENGEL,  
FRANCIS CASE,

*Managers on the part of the House.*

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4967, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,  
June 22, 1944.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1 to the bill (H. R. 4967) making appropriations for the Military Establishment for the fiscal year ending June 30, 1945, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 3 to the said bill, and concur therein with an amendment as follows:

Restore the matter stricken out by said amendment, amended to read as follows: "Provided, That no appropriation contained in this act shall be available for any expense incident to educating persons in medicine (including veterinary) or dentistry if any expense on account of their education in such subjects was not being defrayed out of appropriations for the Military Establishment for the fiscal year 1944 prior to June 7, 1944, except that nothing herein shall interfere with compliance with the provisions of law authorizing the detail of officers and enlisted men of any component of the Army of the United States as students, observers, and investigators as contemplated by section 127 (a) of the National Defense Act, approved June 3, 1916, as amended."

Mr. RUSSELL. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 3 by striking out

after the word "investigators" the words "as contemplated by section 127 (a) of the National Defense Act, approved June 3, 1916, as amended", just read by the clerk.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia.

The motion was agreed to.

#### RECESS

Mr. BARKLEY. Mr. President, my information from the messenger of the House is that within perhaps 10 minutes two more conference reports will be ready for the consideration of the Senate. Therefore, I again ask that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon (at 7 o'clock and 15 minutes p. m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 7 o'clock and 43 minutes p. m., when it was called to order by the Presiding Officer [Mr. HILL] in the chair.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, and that the House receded from its disagreement to the amendment of the Senate numbered 5 to the bill and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4937) making appropriations for defense aid (lend-lease), for the participation by the United States in the work of the United Nations Relief and Rehabilitation Administration, and for the Foreign Economic Administration, for the fiscal year ending June 30, 1945, and for other purposes, and that the House receded from its disagreement to the amendment of the Senate numbered 2 to the bill, and concurred therein.

#### APPROPRIATIONS FOR DEFENSE AID (LEND-LEASE), U. N. R. R. A., AND FOREIGN ECONOMIC ADMINISTRATION—CONFERENCE REPORT

Mr. McKELLAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4937) "making appropriations for defense aid (lend-lease), for the participation by the United States in the work of the United Nations Relief and Rehabilitation Administration, and for the Foreign Economic Administration, for the fiscal year ending June 30, 1945, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In the matter proposed to be inserted by said amendment, insert before the sum "\$43,200,000" the following "not to exceed"; and in the matter proposed to be inserted by said amendment before the word "owned" strike out the word "now"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: On page 7 of the bill, in line 10, after the words "per annum", and before the comma, insert the following "during the incumbency of the present Administrator"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$19,750,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$75,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$340,000"; and the Senate agree to the same.

The committee report in disagreement amendment numbered 2.

KENNETH McKELLAR,  
RICHARD B. RUSSELL,  
M. E. TYDINGS,  
RUFUS C. HOLMAN,  
C. WAYLAND BROOKS,

*Managers on the part of the Senate.*

CLARENCE CANNON,  
C. A. WOODRUM,  
LOUIS LUDLOW,  
J. BUELL SNYDER,  
EMMETT O'NEAL,  
JED JOHNSON,

*Managers on the part of the House.*

The report was agreed to.

Mr. McKELLAR. That completes the action on that bill and it will go to the President.

#### APPROPRIATIONS FOR WAR AGENCIES—CONFERENCE REPORT

Mr. McKELLAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4879) "making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 7, 17, 19, 20, and 21.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 8, 9, 10, 13, 14, 15, 18, 22, 23, 24, 25, 26, and 27 and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$375,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree



to the same with an amendment, as follows: In lieu of the sum proposed insert "\$778,875"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lines 14 and 15 of the matter inserted by said amendment, strike out the words "may result in", and insert in lieu thereof the words "seeks to effect"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 5.

KENNETH McKELLAR,  
RICHARD B. RUSSELL,  
M. E. TYDINGS,  
RUFUS C. HOLMAN,  
C. WAYLAND BROOKS,

*Managers on the part of the Senate.*

CLARENCE CANNON,  
C. A. WOODRUM,  
LOUIS LUDLOW,  
J. BUELL SNYDER,  
EMMET O'NEAL,  
JED JOHNSON,  
JOHN TABER,  
R. B. WIGGLESWORTH,  
W. P. LAMBERTSON,  
D. LANE POWERS,

*Managers on the part of the House.*

Mr. McKELLAR. I move the adoption of the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on a certain amendment of the Senate to House bill 4879, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,  
June 22, 1944.

*Resolved,* That the House recede from its disagreement to the amendment of the Senate numbered 5 to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, and concur therein with an amendment as follows: In the last line of the matter inserted by said Senate engrossed amendment strike out "\$669,000" and insert "fiscal year 1945, \$250,000, to remain available to and including December 31, 1944; and \$50,000 to enable the Director of the Bureau of the Budget, in the period, January 1, 1945, to and including June 30, 1945, to liquidate such agency, including personal services in the District of Columbia, and of such sum of \$50,000 the sum of \$42,000 shall be exclusively for the payment of accumulated and accrued annual leave of employees of such committee; in all \$300,000."

Mr. McKELLAR. I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 5.

The motion was agreed to.

#### LEGISLATIVE PROGRAM

Mr. McKELLAR. I understand that concludes action on the bills on which the conference reports have been submitted; is that correct?

The PRESIDING OFFICER. That completes legislative action on the bills.

Mr. BARKLEY. Mr. President, let me ask the Senator from Tennessee what appropriation bills remain to be acted upon.

Mr. McKELLAR. A mistake was made in the language of one of the amendments to the appropriation bill for the Military Establishment, and it must be returned to the House.

Action on all the other appropriation bills, except for the second deficiency appropriation bill and the appropriation bill for the Military Establishment, is completed. Action on the military appropriation bill will be completed, so I understand, when the House will agree to that amendment tomorrow.

The second deficiency appropriation bill is in conference, will be taken up in conference at 10:30 in the morning, and will be reported during the day. I hope it will be possible for the Senate to agree to the report on it. That will complete legislative action on all appropriation bills.

#### RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 46 minutes p. m.) the Senate took a recess until tomorrow, Friday, June 23, 1944, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate June 22 (legislative day of May 9), 1944:

##### DIPLOMATIC AND FOREIGN SERVICE

Col. William A. Eddy, of New Hampshire, United States Marine Corps, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia.

James P. Moffitt, of New York, now a Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

J. William Henry, of Arizona, to be a Foreign Service officer, unclassified, a vice consul of career, and a secretary in the Diplomatic Service of the United States of America.

##### TERRITORY OF HAWAII

Gerald Robert Corbett, of Hawaii, to be Secretary of the Territory of Hawaii, vice Ernest K. Kal, resigned.

##### COLLECTOR OF CUSTOMS

William H. Burke, Jr., of Northampton, Mass., to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass., to fill an existing vacancy.

##### REGISTERS OF LAND OFFICE

Mrs. Belle D. Byrne, of North Dakota, to be register of the land office at Bismarck, N. Dak. (Reappointment.)

Mrs. Jessie C. Weeks, of Wyoming, to be register of the land office at Buffalo, Wyo., vice Theodore A. Waner.

##### IN THE NAVY

Capt. Robert O. Glover, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 22d day of July 1942.

Capt. Frank E. Beatty, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 31st day of January 1943.

##### POSTMASTERS

The following-named persons to be postmasters:

##### ARKANSAS

William F. Chaney, Lonoke, Ark., in place of Oscar Fawcett, resigned.

##### CALIFORNIA

Martha E. Lofton, Big Bend, Calif. Office became Presidential July 1, 1943.

##### COLORADO

Lois E. Landreth, Bayfield, Colo., in place of Lena Humiston, removed.

Arthur S. Dean, Las Animas, Colo., in place of W. H. Hardraker, resigned.

##### FLORIDA

Mildred K. Clark, Fruitland Park, Fla., in place of W. E. Clark, deceased.

##### GEORGIA

Elizabeth McL. Gibson, Grovetown, Ga., in place of Josephine Brand, resigned.

R. Pate Watson, Hawkinsville, Ga., in place of Morgan Thompson, removed.

##### HAWAII

Edith A. Willey, Makawao, Hawaii, in place of M. R. Medeiros, Jr., removed.

##### ILLINOIS

Mary E. Jaco, Woodlawn, Ill., in place of L. C. Spangler, transferred.

George E. Perrine, Zeigler, Ill., in place of W. E. Berry, removed.

##### INDIANA

John M. Coffin, Arlington, Ind. Office became Presidential July 1, 1943.

Oliver W. Crone, Borden, Ind., in place of W. E. Payne, removed.

Oliver W. Summerville, Burns City, Ind. Office became Presidential April 1, 1942.

Orace Oakel Welden, Francesville, Ind., in place of O. O. Welden. Incumbent's commission expired June 23, 1942.

Carl M. Buchanan, Guilford, Ind. Office became Presidential July 1, 1943.

##### IOWA

Frank A. Riser, Lansing, Iowa, in place of R. A. Dunlevy, deceased.

##### KANSAS

Florian A. Glotzbach, Paxico, Kans. Office became Presidential July 1, 1943.

##### KENTUCKY

Virginia P. Howard, Fountain Run, Ky. Office became Presidential July 1, 1943.

Stella Creekmore, Rockholds, Ky. Office became Presidential July 1, 1943.

##### LOUISIANA

Hazel D. Womack, Chatham, La., in place of C. E. Hearne, removed.

Minnie Murphey Fontane, Hessmer, La. Office became Presidential July 1, 1943.

##### MISSOURI

Clifton C. Thompson, Cainsville, Mo., in place of C. G. McDaniel, removed.

Mildred K. Bedell, Sumner, Mo., in place of W. E. Murphy, resigned.

##### MONTANA

Eugene E. Dickerson, Warm Springs, Mont. Office became Presidential July 1, 1943.

##### NEBRASKA

Guy H. Matteson, Sutton, Nebr., in place of C. M. Brown, deceased.

Clarence E. Henrikson, Wahoo, Nebr., in place of F. W. Weber, resigned.

##### NEW YORK

Ruth C. Davis, Brookfield, N. Y. Office became Presidential July 1, 1943.

Hugh A. McCargar, East Pembroke, N. Y. Office became Presidential July 1, 1943.

Joseph M. Kelly, Tarrytown, N. Y., in place of J. H. Burke, resigned.

##### NORTH CAROLINA

John Holman Hawley, Goldsboro, N. C., in place of R. H. Edwards, deceased.

Martha C. Newman, Milton, N. C. Office became Presidential July 1, 1943.

##### OHIO

Herman C. Reisdorf, Gahanna, Ohio., in place of R. L. Stygler, transferred.

Marjorie R. Heinrichs, Hamler, Ohio, in place of J. W. Ritz, deceased.

##### OKLAHOMA

Jesse L. Brown, Cleo Springs, Okla. Office became Presidential July 1, 1943.

Betty Brown Hunt, Dacoma, Okla. Office became Presidential July 1, 1943.

Josie Michael, Krebs, Okla. Office became Presidential July 1, 1943.

#### PENNSYLVANIA

Stewart A. Heffley, Boswell, Pa., in place of Stewart Heffley. Incumbent's commission expired April 9, 1940.

Jessie D. Houck, Cairnbrook, Pa., in place of G. H. Houck. Incumbent's commission expired December 9, 1941.

#### UTAH

Martha E. Alverson, Stockton, Utah. Office became Presidential July 1, 1943.

#### VIRGINIA

Frank L. Thompson, Hot Springs, Va., in place of A. W. Cameron, deceased.

#### WEST VIRGINIA

Arzana M. Ward, Arthurdale, W. Va. Office became Presidential July 1, 1943.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 22 (legislative day of May 9), 1944:

#### DEPARTMENT OF JUSTICE

Herbert Wechsler to be Assistant Attorney General.

#### DEPARTMENT OF THE INTERIOR

William Riddell to be register of the land office at Billings, Mont.

#### THE JUDICIARY

#### UNITED STATES ATTORNEY

Frank C. Bingham to be United States attorney for division 2 of Alaska.

#### UNITED STATES MARSHALS

Arthur D. Fairbanks to be United States marshal for the district of Colorado.

Bernard Fitch to be United States marshal for the district of Connecticut.

Thomas N. Curran to be United States marshal for the district of Maine.

Frank C. Blackford to be United States marshal for the western district of New York.

#### UNITED STATES PUBLIC HEALTH SERVICE APPOINTMENT AND PROMOTION IN THE REGULAR SERVICE

#### To be assistant surgeons

Frederic C. Bartter	David F. Bradley
Leon A. Heppel	Joseph E. Maurer
Francis S. Schwarz	Rheim M. Jones
Griffith E. Quinby	William R. Rosanoff
Robert J. Huebner	Warren S. Kennison
James K. Norman	

#### To be passed assistant surgeon

Luther L. Terry

#### To be temporary senior surgeon

Edwin Gantt Williams

#### To be temporary surgeon

James Barclay Donaldson

#### To be temporary passed assistant surgeon

Joseph P. Kesler

#### To be medical directors

Joseph W. Mountin

Ralph E. Porter

#### TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

#### TO BE A BRIGADIER GENERAL

Ephraim Franklin Jeffe

#### IN THE NAVY

#### TEMPORARY SERVICE

Andrew F. Carter, to be a rear admiral in the Naval Reserve, for temporary service, to continue while serving as executive, Army-Navy Petroleum Board.

#### POSTMASTERS

#### ALABAMA

David R. Wyatt, Eden.

#### FLORIDA

Joel S. Field, Sanford.

#### ILLINOIS

Robert E. Ward, Chillicothe.

Clarence H. Lindsay, Tilden.

#### NEBRASKA

Walter J. Baur, Dix.

#### NEW MEXICO

Bettie E. Jones, Corona.

#### NEW YORK

Charles W. Craig, Binghamton.

Mildred M. Jones, Hagaman.

#### NORTH CAROLINA

Jessie L. Shipman, Horse Shoe.

Audrey Hoggard, Lewiston.

#### OKLAHOMA

Rex T. Strickland, Madill.

#### VERMONT

John E. Stewart, Morrisville.

#### VIRGINIA

James B. Blake, Sandston.

#### WISCONSIN

Carl W. Janssen, De Pere.

John J. Burkhard, Monroe.



til the United States Joint Chiefs of Staff shall have issued a certification that the state of the war permits the exercise of such authority and the utilization of lend-lease supplies, services, or funds for the purposes of section 201 of this title; and after such certification such utilization shall be upon the determination of the Administrator of the Foreign Economic Administration."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 2 and concur therein.

Mr. CANNON of Missouri. Mr. Speaker, this amendment does not provide for the appropriation of an additional dollar; it merely makes available for U. N. R. R. A. \$350,000,000 of funds, supplies, and services already provided for lend-lease which may not be needed or used for lend-lease purposes and which may be available after we have occupied enemy territory. This provision is a precautionary one. The lend-lease funds cannot be utilized until the United States Joint Chiefs of Staff have certified that the state of the war is such that it is all right to utilize the lend-lease funds, supplies, and services for the purposes of U. N. R. R. A. Lend-lease is a war instrumentality. When the war has reached a stage at which it will not be necessary to utilize so much lend-lease for war then we will have reached the point where relief will be necessary and it is good judgment to divert what we have available at that time for lend-lease to the commitments which we will have to U. N. R. R. A. for the relief activities. It is important now that adequate provision be made for U. N. R. R. A. so that it may be prepared to meet its responsibilities in the liberated areas. This \$350,000,000, if used, will be charged up as a part of our commitment of \$1,350,000,000 for participation in the work of U. N. R. R. A.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I am not going to ask for a division of this motion, nor am I going to ask for a record vote. I simply want to call attention to the fact that in no sense is this amendment needed.

The funds provided in section 201, namely, \$450,000,000, are all that are needed to provide these people with all the funds necessary for any possible operation that might come along prior to the first of the year and for some time thereafter.

There is already provided in the conference report that was last agreed to here, that on the military bill, \$562,000,000 to take care of relief in the territory the Army is occupying, and that is the relief item that probably will have to be drawn on. These people would have to get in far quicker as a result of a total collapse of Germany than most of us hope for if they are going to have any substantial activity. The figures they have given us as to things they need do not check at all with information that has been given to the committee as to existing stock piles of different things or as to information I can find other places. Instead of their needing an immediate amount of \$450,000,000 in cash to buy things that would be hard to get, the total of all they ask to have in the two categories would not run beyond \$340,000,000. The things they could obtain at any time out of existing stock piles, commercial and governmental, assuming they had to have all these things, and that they could use them, would run perhaps \$440,000,000.

With no substantial activity in sight before the end of the year they need no stock piles on these things.

There is no possibility of their having to use all of these things before the Congress will get together and have an opportunity to review them. Here is the thing that bothers me about the whole situation. It is an evidence of a desire to get hold of a great lot of money that is not

needed and it tends to destroy the faith of the Congress in the organization.

I am hoping that the administration of the funds will be such that these people will not be given this money unless there is a dire need for it, because when the Foreign Economic Administration went to the Budget first they only asked for \$450,000,000 and not for this transfer item. The lease-lend appropriation called for nothing which would supply these things that might be available for transfer. There must come a time when governmental agencies have a regard for the Treasury in their requests that they make. They should be careful about these things and not ask for enormous sums of money when they are not able to justify them.

Mr. Speaker, I am not going to ask for a roll call or division because I do not feel it is wise to do so at this time and I do not care to complicate the situation that they have created by doing it. On the other hand, I feel that it must be managed with great care and that these people must be called to full account for it.

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON of Missouri. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the Record and to include therein a table I have prepared analyzing these categories and the stock piles.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

The table referred to follows:

The U. N. R. R. A. have nothing to do until after the military are cleared out of any country. Therefore, they do not need so much money now. The Congress can provide it whenever they need it because stock piles exist on most things. Where they do not, it is shown in the following table:

	Category I		Category II	
	Necessary to buy	Stock piles existing	Necessary to buy	Stock pile existing
Grains.....				\$10,000,000
Dried beans, peas, and soya products.....		\$1,660,000		8,340,000
Canned meat.....				190,000,000
Canned fish.....		16,000,000		
Lard.....				57,000,000
Salt pork.....		34,500,000		
Milk.....		55,000,000		
Cheese.....		1,200,000		
Veterinary materials.....			\$2,500,000	
Seed.....	\$1,000,000			
Pesticides.....	3,500,000			
Fertilizer.....	1,335,000		665,000	
Binder twine.....	1,000,000			
Farm machinery.....	17,500,000			
Food processing equipment.....	8,000,000			
Fishing supplies.....	8,000,000			
Containers.....	2,500,000			
Hand tools.....	5,000,000			
Miscellaneous.....	5,000,000			
Woolen goods and garments.....	88,870,000			
Cotton goods and garments.....	22,800,000			
Raw wool.....				21,700,000
Raw cotton.....				43,200,000
Shoes and repair and raw materials therefor.....	38,250,000			
Atabrine.....			2,910,000	
Emergency units.....			6,910,000	
Epidemic units.....			5,600,000	
Hospital, 40 beds.....			2,380,000	
Hospital, 200 beds.....			1,870,000	
Standard units.....			25,720,000	



	Category I		Category II	
	Necessary to buy	Stock piles existing	Necessary to buy	Stock piles existing
Typhus supplement.....			\$4,090,000	
All other medical supplies.....			7,330,000	
Soap.....	7,885,000		4,500,000	
Water-system supplies.....	5,000,000			
Sewerage supplies.....	5,000,000			
Electricity supplies.....	8,000,000			
Transportation-system supplies.....	20,000,000			
Telecommunication supplies (½ for telephone, ½ for telegraph).....	2,000,000			
Gas-system supplies.....	2,000,000			
Construction machinery, concrete mixers and concrete block equipment, blacksmith forges, anvils, tools.....	2,000,000			
Mobile repair shops (machine and welding shops).....	9,000,000			
Construction hand tools and materials (plumbers', carpenters', and masons' construction kits).....	14,000,000			
Semifabricated iron and steel materials (bars, flats, structurals, sidings, and sheets).....	8,000,000			
Other miscellaneous repair materials and supplies (spare parts, tools, hardware, glass, etc.).....	25,000,000			
Total.....	\$210,640,000	\$108,360,000	129,375,000	\$330,240,000

Mr. TABER. May I ask the chairman of the Appropriations Committee, is there an understanding with the Foreign Economic Administration that these funds will not be transferred without consultation with the Congress?

Mr. CANNON of Missouri. We have that assurance.

Mr. TABER. There will be care exercised in this connection?

Mr. CANNON of Missouri. There are ample safeguards here. In the first place, the authority granted can become effective only on certification of the United States Joint Chiefs of Staff. Second, utilization of supplies can be made only on determination of the Administrator. And last, as the gentleman from New York [Mr. TABER] has indicated, we are assured that the ranking minority and majority Members of the House and Senate committees will be consulted preliminary to the exercise of such authority.

Mr. TABER. Mr. Speaker, that is one of the reasons why I am not going to put the House on record in connection with this matter. I do not feel that agencies should be allowed to run wild in spending money. In this case, if that understanding is lived up to, it will, I am sure, result in there being available ample funds to carry this thing on for a considerable period longer than is provided here.

Mr. CRAWFORD. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. CRAWFORD. May I ask the gentleman first the amount authorized for U. N. R. R. A.? Was that \$1,350,000,000?

Mr. TABER. That is right.

Mr. CRAWFORD. Of that \$1,350,000,000 how much has been appropriated?

Mr. TABER. Nothing.

Mr. CRAWFORD. Nothing has been appropriated?

Mr. TABER. No. This bill carries \$450,000,000 in cash and \$350,000,000 authority for transfer from lease-lend funds.

Mr. CRAWFORD. Will the \$350,000,000 in that case and in the event it is transferred from lend-lease be charged against the \$1,350,000,000?

Mr. TABER. Certainly it will.

Mr. CANNON of Missouri. It is so provided in the amendment itself, lines 17 to 22, of page 7:

The supplies, services, and funds disposed of or expended under the authority of this section \* \* \* shall be charged to the amount authorized to be appropriated by said act of March 28, 1944.

The \$450,000,000 appropriated and the \$350,000,000 authorized for transfer, total only \$800,000,000 of our authorized quota of \$1,350,000,000, whereas England has already appropriated her entire quota.

Mr. CRAWFORD. What was England's total quota?

Mr. TABER. Three hundred and twenty million dollars.

Mr. CANNON of Missouri. Each of the 44 participating nations contributes on the basis of 1 percent of its national income calculated on its income for the calendar year 1943.

The SPEAKER. The time of the gentleman has expired.

Mr. CASE. Mr. Speaker, I wish to express my appreciation to the conferees for accepting the change made in the other body by inserting the word "domestic" ahead of the words "raw wool" in the amendment which the House adopted on my motion when this bill was originally before us. This brings the provision in line with the amendment as I offered it originally in the House and is fully justified by the facts in the case.

We have large Government-owned stock piles of both foreign and domestic wool in the United States owned by Government corporations. Both of them hang heavy over the market and over the wool-growing industry. As a result of war purchases, there is in sight enough right now to meet domestic demands for from 2 to 3 years. So, it is simply good sense, as the gentleman from Tennessee, [Mr. JENNINGS] pointed out during my remarks the other day, for the Government to buy some of its own surplus of wool for that part of its contribution to U. N. R. R. A. It would be good sense, whether we contributed it out of either stock pile, the foreign held by Defense Supplies Corporation or the domestic held by Commodity Credit Corporation. But if we took it from the foreign stock pile, we would not do the most good, for when it was exhausted, more foreign wool would seek to enter the country by underbidding the price the Government already has invested in its domestic wool.

The step which the House took in accepting my modified amendment when this bill was originally before us greatly

cheered the wool growers because it demonstrated that Congress is giving some heed to the situation to which attention has been so graphically drawn by the studies of the United States Tariff Commission on the subject of wool. They will be even more greatly cheered by the action of the conferees in accepting the insertion of the word "domestic." I have received letters from Mr. James H. Lemmon, of Lemmon, S. Dak., president of the National Wool Growers Corporation, and Mr. J. B. Wilson, of McKinley, Wyo., legislative chairman of the National Wool Growers Association, on both points. So, I can assure the membership of the House that action today approving the conference report with this change will be appreciated by the wool growers throughout the country. They will be glad that Congress kept our domestic economy in mind when making this contribution of wool and cotton to the relief and rehabilitation needs of the world.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

#### EXTENSION OF REMARKS

Mr. RANKIN, Mr. HENDRICKS, Mr. CUNNINGHAM, and Mr. LAMBERTSON asked and were given permission to extend their own remarks in the Record.

Mr. CASE. Mr. Speaker, I ask unanimous consent to extend my own remarks in connection with the consideration of the lend-lease conference report.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

#### WAR AGENCIES APPROPRIATION BILL, 1945

Mr. CANNON of Missouri submitted the following conference report and statement on the bill (H. R. 4879) making appropriations for the war agencies for the fiscal year ending June 30, 1945, and for other purposes:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes, having met, after



full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 7, 17, 19, 20, and 21.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 8, 9, 10, 13, 14, 15, 18, 22, 23, 24, 25, 26, and 27, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$375,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$778,875"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lines 14 and 15 of the matter inserted by said amendment, strike out the words "may result in", and insert in lieu thereof the words: "seeks to effect"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 5.

CLARENCE CANNON,  
C. A. WOODRUM,  
LOUIS LUDLOW,  
J. BUELL SNYDER,  
EMMET O'NEAL,  
JED JOHNSON,  
JOHN TABER,  
R. B. WIGGLESWORTH,  
W. P. LAMBERTSON,  
D. LANE POWERS,

*Managers on the part of the House.*

KENNETH MCKELLAR,  
RICHARD B. RUSSELL,  
M. E. TYDINGS,  
RUFUS C. HOLMAN,  
C. WAYLAND BROOKS,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4879), "Making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes", submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Nos. 1, 2, and 3, relating to the Office of Censorship: Makes technical corrections as proposed by the Senate.

Nos. 4 and 27, relating to the Selective Service System: Appropriates \$62,500,000 as proposed by the Senate, instead of \$61,500,000 as proposed by the House, and transfers the item to the point in the bill proposed by the Senate.

Nos. 6 and 7, relating to the Division of Central Administrative Services of the Office for Emergency Management: Appropriates \$7,783,000 as proposed by the House, instead of \$8,356,000 as proposed by the Senate, and provides, as proposed by the House, that functions and funds may be transferred from the agency to other agencies, instead of providing, as proposed by the Senate, that functions and funds may be transferred to the agency from other agencies.

Nos. 8, 9, 10, 11, and 12, relating to the Office of Civilian Defense: Appropriates \$778,875, instead of \$750,000 as proposed by the Senate and \$1,000,000 as proposed by the House; provides that \$375,000 of the total shall be available for the care of property, instead of \$461,500 as proposed by the House

and \$346,125 as proposed by the Senate and provides for all other expenses in the amounts of the Senate amendments.

Nos. 13, 14, 15, and 16, relating to the Committee on Fair Employment Practice: Provides, as proposed by the Senate, for expenses of the Committee in carrying out any functions "lawfully" vested in it by Executive Orders; fixes the salary of the chairman at \$8,000 as proposed by the Senate instead of \$10,000 as proposed by the House; and then inserts the following limiting proviso: "Provided, That no part of the funds herein appropriated shall be used to pay the compensation of any person to initiate, investigate, or prosecute any complaint against any defendant where such defendant does not have the same right to appeal an adverse decision of the Committee on Fair Employment Practice to the President of the United States, or to refer said complaint to the President of the United States for final disposition, as is asserted by or allowed the said Committee on Fair Employment Practice in cases where persons complained against refuse to abide by its orders: *Provided further*, That no part of this appropriation shall be used to pay the compensation of any person to initiate, investigate, or prosecute any proceeding against any person, firm, or corporation which seeks to effect the seizure or operation of any plant or other property of such person, firm, or corporation by Federal authority for failure to abide by any rule or regulation of the Committee on Fair Employment Practice, or for failure to abide by any order passed by the Committee on Fair Employment Practice: *Provided further*, That no part of the funds herein appropriated shall be used to pay the compensation of any person employed by said Committee on Fair Employment Practice who issues or attempts to enforce any rule, regulation, or order which repeals, amends, or modifies any law enacted by the Congress."

No. 17, relating to Office of Coordinator of Inter-American Affairs: Appropriates \$18,000,000 as proposed by the House instead of \$17,000,000 as proposed by the Senate.

No. 18, relating to the Office of Defense Transportation: Appropriates \$17,000,000 as proposed by the Senate, instead of \$18,000,000 as proposed by the House.

Nos. 19 and 20, relating to the National War Labor Board: Appropriates \$15,000,000 as proposed by the House instead of \$15,250,000 as proposed by the Senate; and limits the amount for travel to \$1,000,000 as proposed by the House instead of \$1,060,000 as proposed by the Senate.

Nos. 21, 22, 23, 24, and 25, relating to the Office for War Information: Makes technical corrections in the text of the appropriation as proposed by the Senate; fixes the amount for the Domestic Motion Picture Bureau at \$54,428 as proposed by the Senate instead of \$50,000 as proposed by the House; and fixes the limitation on the amount that may be used for the Domestic Operations Branch at \$2,200,000 as proposed by the House instead of \$2,464,633 as proposed by the Senate.

No. 26: Fixes the salary of the Chairman of the Board of Directors of the Smaller War Plants Corporation at \$10,000 as proposed by the Senate.

Amendment No. 5, relating to the Committee on Congested Production Areas is reported in disagreement.

CLARENCE CANNON,  
C. A. WOODRUM,  
LOUIS LUDLOW,  
J. BUELL SNYDER,  
EMMET O'NEAL,  
JED JOHNSON,  
JOHN TABER,  
R. B. WIGGLESWORTH,  
W. P. LAMBERTSON,  
D. LANE POWERS,

*Managers on the part of the House.*

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 4879) making appropriations for the war agencies, and I also ask that the statement of the managers on the part of the House be read in lieu of the full report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

Mr. CANNON of Missouri. Mr. Speaker, this is a unanimous report of all of the managers on the part of the House and all the managers on the part of the Senate. There is nothing of a controversial nature in the reports. Unless someone desires to discuss it, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: Page 8, line 3, insert the following:

#### "COMMITTEE FOR CONGESTED PRODUCTION AREAS

"Salaries and expenses: For all expenses necessary to enable the Committee for Congested Production Areas to carry out the functions vested in it by Executive Order 9327, including traveling expenses (not to exceed \$48,000); printing and binding (not to exceed \$2,550); purchase of newspapers and periodicals (not to exceed \$600); the employment of State, county, or municipal officials and employees, with or without compensation; and the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws (not to exceed \$15,000); \$669,000."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert:

"Fiscal year 1945, \$250,000, to remain available to and including December 31, 1944; and \$50,000 to enable the Director of the Bureau of the Budget, in the period, January 1, 1945, to and including June 30, 1945, to liquidate such agency, including personal services in the District of Columbia, and of such sum of \$50,000 the sum of \$42,000 shall be exclusively for the payment of accumulated and accrued annual leave of employees of such Committee; in all, \$300,000."

Mr. CANNON of Missouri. Mr. Speaker, this motion has been agreed upon by the conferees of the Senate and the House. Instead of giving the year's provision in the Senate amendment, we provide for \$250,000 for 6 months' active work, ending December 31, 1944, and \$50,000 after that to liquidate the agency by the Bureau of the Budget.

Mr. Speaker, unless some Member desires to be recognized, I will move the previous question.



The previous question was ordered.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

#### FAIR EMPLOYMENT PRACTICE COMMITTEE

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I would like to make the record clear in regard to my attitude on the conference report which has just been adopted. We have just adopted the conference report on the war agencies appropriation bill which contains the appropriation for F. E. P. C. That item had been adopted by the House and by the Senate. In the Senate certain amendments were attached to the F. E. P. C. appropriation which, in my opinion, were intended to hamstring the activities of the F. E. P. C. We had no other choice but to vote the conference report up or down. Since these Senate amendments are contained in the conference report, under the rules of the House we could not offer any amendment to strike them out. We had to vote either for the conference report or against it. As the conference report contains appropriations, and since it, in substance, contains what is required by the President's Committee on Fair Employment Practice, and since the conference report contains appropriations for so many vital war agencies, the only choice that was left to the friends of F. E. P. C. was to vote for the conference report.

However, I cannot help but note that in October there will be plenty of white people going among the Negro people beating their breasts and asking for their votes. I do not know what fate will hold for me politically on primary day, but no matter what happens on primary day, I want to assure the Negro people of this country that I am going to tell them the score and what has happened in regard to F. E. P. C. and let them know who their friends are and who their false friends are. They know their enemies who have publicly opposed F. E. P. C. The lurid story contained in the Record of last Tuesday they know. The spewing of race hatred in the Senate they know, but the false friends they may not know, and I propose to expose them.

(Mr. MARCANTONIO asked and was given permission to revise and extend his remarks.)

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, the gentleman from New York [Mr. MARCANTONIO] said they are going to let the Negroes know who their real friends are in the

coming election. The real friends of the Negroes are not the demagogues who take the floor of this House and harass the white people of this country, or who advocate this crazy, communistic F. E. P. C. that is doing so much to harass the white people of the Nation and to disturb race relations throughout the country.

This F. E. P. C. was set up without authority of the law. It should be abolished at once. I inserted in the Record the other day the list of people who operate this F. E. P. C. and showed that a majority of them are Negroes, and that the rest of them, as a rule, are Communists, and had been branded as Communists by both the Dies committee and the Attorney General of the United States.

So far as going out and telling the Negroes during election year what we have not done for them, I wonder if you will go and tell them what you have done to them.

The ones who are advocating this F. E. P. C. are not only doing the white people a grave injustice, but they are doing the Negroes of this country the greatest injustice of which they are capable. They are not the friends of the Negroes. They are the worst enemies the Negroes have, because they come here and advocate a communistic proposition like this, attack the white people of the South, and of the country generally, stir up race trouble, and the poor Negroes suffer as a result.

If you will let the Negroes alone and let the white people alone among whom they live, they will get along. They have done it for 300 years. Even during the last 75 years, under the pressure of the minority, radical, communistic groups from other sections, we have got along with the Negro in the Southern States. We have enabled him to live and enjoy protection—even against these radicals who come down and attempt to stir up trouble among them.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. MARCANTONIO. The gentleman has protected them. He has protected them in their right to vote. He has protected them against discrimination on the job. He has protected them against discrimination in employment—

Mr. RANKIN. Mr. Speaker, I do not yield for a speech.

Mr. MARCANTONIO. God save them from that kind of protection.

Mr. RANKIN. Oh, I have heard the gentleman from New York attack the white people of the South before. It came with poor grace from him to question the patriotism of the white people of the southern States. If he had had his way, we would not have had any navy, we would not have had an army, we would not have had any air force when this war began. We might have had a few old rickety merchant ships, and they would probably have been engaged in hauling immigrants and spaghetti if he had had his way.

I am tired of these attacks on the white people of the South by men who admit that what they are bidding for is a few Negro votes in their own localities.

If President Roosevelt will investigate this F. E. P. C. thoroughly, I am sure he will abolish it; because it has done him more harm, it is doing him more harm now, it is doing his administration more harm, it is doing the Negroes of this country more harm, it is doing the white people more harm, it is doing race relations more harm than anything else of its kind that has ever been attempted.

#### SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2029. An act to establish the grade of Fleet Admiral of the United States Navy, and for other purposes; to the Committee on Naval Affairs;

S. J. Res. 134. Joint resolution to provide for the establishment, management, and perpetuation of the Kermit Roosevelt fund; to the Committee on Military Affairs.

#### ENROLLED BILLS SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 4837. An act to extend for an additional 2 years the suspension in part of the processing tax on coconut oil, and to correct a typographical error in the Individual Income Tax Act of 1944.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following bills:

S. 1588. An act for the relief of the legal guardian of Eugene Holcomb, a minor;

S. 1634. An act to provide for the management and operation of naval plantations outside the continental United States;

S. 1764. An act to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes.

S. J. Res. 93. Joint resolution declaring the policy of the Congress with respect to the independence of the Philippine Islands, and for other purposes; and

S. J. Res. 94. Joint resolution to amend section 13 of Philippine Independence Act, as amended, establishing the Filipino Rehabilitation Commission, defining its powers and duties, and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 272. An act for the relief of Mrs. Vola Stroud Pokluda, Jesse M. Knowles, and the estate of Lee Stroud;

H. R. 1220. An act for the relief of the legal guardian of Paul M. Campbell, a minor;

H. R. 2303. An act for the relief of O. W. James.

H. R. 2855. An act for the relief of the estate of John Buby;

H. R. 3102. An act for the relief of Mrs. Eva M. Delisle;

H. R. 3661. An act for the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes;

H. R. 3891. An act to provide night differential for certain employees; and

H. R. 4115. An act to give honorably discharged veterans, their widows, and the wives of disabled veterans, who themselves









[PUBLIC LAW 372—78TH CONGRESS]

[CHAPTER 301—2D SESSION]

[H. R. 4879]

AN ACT

Making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the support of war agencies for the fiscal year ending June 30, 1945, and for other purposes, namely:

TITLE I

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF CENSORSHIP

Salaries and expenses: For all necessary expenses of the Office of Censorship, including the employment of aliens as examiners or translators; the employment of a Director and a deputy director at not exceeding \$10,000 and \$9,000 per annum, respectively; not to exceed \$20,000 for temporary personal services without regard to civil-service and classification laws; travel expenses (not to exceed \$165,000); travel expenses of appointees from point of induction in continental United States to their first posts of duty outside continental United States and such expenses of employees returning from their places of employment outside continental United States to their homes in the United States or possessions or in foreign countries; reimbursement at not to exceed 3 cents per mile to employees for expenses incurred by them for official travel in privately owned automobiles within the limits of their official stations; printing and binding (not to exceed \$275,000); rental of news and other reporting services; rental and/or operation of photographic, communication, and other equipment and devices; hire (and not to exceed \$3,500 for the purchase) of motor-propelled passenger-carrying vehicles; purchase of guard uniforms; purchase of special wearing apparel or equipment for protection of employees while engaged in their work; not to exceed \$10,000 for scientific research on models, devices, and other items related to the functions of the Office of Censorship without regard to section 3709 of the Revised Statutes; \$29,700,000: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase made by or service rendered for the Office of Censorship outside the continental limits of the United States when the aggregate amount involved in such case does not exceed \$500: *Provided further*, That not to exceed \$10,000 of this appropriation shall be available for expenses of a confidential character, to be expended under the direction of the Director who shall make a certificate of the amount of each such expenditure which he may think it advisable not to specify and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

## PETROLEUM ADMINISTRATION FOR WAR

Salaries and expenses: For all necessary expenses of the Petroleum Administration for War in performing its functions as prescribed by the President (Fed. Reg., December 4, 1942), including not to exceed \$425,000 for personal services without regard to the civil-service and classification laws but no part of this sum shall be used to compensate any person who has been transferred from a classification pay status to an ungraded pay status; printing and binding not to exceed \$25,000; and not to exceed \$390,000 for travel expenses; \$6,000,000: *Provided*, That section 3709, Revised Statutes, shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed \$300.

## OFFICE OF STRATEGIC SERVICES

Salaries and expenses: For all expenses necessary to enable the Office of Strategic Services to carry out its functions and activities, including salaries of a Director at \$10,000 per annum, one assistant director and one deputy director at \$9,000 per annum each; procurement of necessary services, supplies and equipment without regard to section 3709, Revised Statutes; travel expenses, including expenses outside the United States without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), and any general provision for the fiscal year 1945 to the contrary; preparation and transportation of the remains of officers and employees who die abroad or in transit, while in the dispatch of their official duties, to their former homes in this country or to a place not more distant for interment, and for the ordinary expenses of such interment; rental of news-reporting services; purchase of or subscription to commercial and trade reports; the rendering of such gratuitous services and the disposition, free or otherwise, of such materials as the Director deems advisable; purchase or rental and operation of photographic, reproduction, duplicating and printing machines, equipment, and devices and radio-receiving and radio-sending equipment and devices; maintenance, operation, repair, and hire of motor-propelled or horse-drawn passenger-carrying vehicles and vessels of all kinds; printing and binding; exchange of funds without regard to section 3651, Revised Statutes (31 U. S. C. 543); purchase and free distribution of firearms, guard uniforms, special clothing, and other personal equipment; the cost of a compartment or such other accommodations as may be authorized by the Director for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment; \$57,000,000, of which amount such sums as may be authorized by the Director of the Bureau of the Budget may be transferred to other departments or agencies of the Government, either as advance payment or reimbursement of appropriation, for the performance of any of the functions or activities for which this appropriation is made: *Provided*, That \$37,000,000 of this appropriation may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds or the employment of persons in the Government service, and \$35,000,000 of such \$37,000,000 may be expended for objects of a confi-



dential nature, such expenditures to be accounted for solely on the certificate of the Director of the Office of Strategic Services and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

#### COMMITTEE FOR CONGESTED PRODUCTION AREAS

Salaries and expenses: For all expenses necessary to enable the Committee for Congested Production Areas to carry out the functions vested in it by Executive Order 9327, including traveling expenses (not to exceed \$48,000); printing and binding (not to exceed \$2,550); purchase of newspapers and periodicals (not to exceed \$600); the employment of State, county, or municipal officials and employees, with or without compensation; and the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil service and classification laws (not to exceed \$15,000); fiscal year 1945, \$250,000, to remain available to and including December 31, 1944; and \$50,000 to enable the Director of the Bureau of the Budget, in the period, January 1, 1945, to and including June 30, 1945, to liquidate such agency, including personal services in the District of Columbia, and of such sum of \$50,000 the sum of \$42,000 shall be exclusively for the payment of accumulated and accrued annual leave of employees of such Committee; in all, \$300,000.

#### EXECUTIVE OFFICE OF THE PRESIDENT—OFFICE FOR EMERGENCY MANAGEMENT

##### DIVISION OF CENTRAL ADMINISTRATIVE SERVICES

Salaries and expenses: For all necessary expenses of the Division of Central Administrative Services, including traveling expenses (not to exceed \$140,000); printing and binding (not to exceed \$50,000); \$7,783,000: *Provided*, That there may be transferred from this appropriation to appropriations available to the constituent agencies of the Office for Emergency Management and to other agencies such amounts as may be necessary in connection with the transfer of functions from the Division to such agencies and funds so transferred shall be consolidated with and shall be expendable in the same manner as funds of the agencies to which functions are transferred.

##### OFFICE OF CIVILIAN DEFENSE

Salaries and expenses: For all necessary expenses of the Office of Civilian Defense, including salary of the Director at not to exceed \$10,000 per annum; traveling expenses (not to exceed \$112,725); printing and binding (not to exceed \$9,750); \$403,875; and \$375,000 for storage, care, transportation, and inspection of property purchased from funds appropriated to the Office of Civilian Defense; in all, \$778,875.

The appropriation herein made for the Office of Civilian Defense shall constitute the total amount to be available for obligation by such agency during the fiscal year 1945 and shall not be supplemented by funds from any Federal source.

## COMMITTEE ON FAIR EMPLOYMENT PRACTICE

For all expenses necessary to enable the Committee on Fair Employment Practice to carry out any functions lawfully vested in it by Executive Orders Numbered 8802 and 9346, including salary of a Chairman at not to exceed \$8,000 per annum and six other members at not to exceed \$25 per diem when actually engaged; travel expenses (not to exceed \$63,800); expenses of witnesses in attendance at Committee hearings, when necessary; printing and binding (not to exceed \$4,800); purchase of newspapers and periodicals (not to exceed \$500); and the temporary employment of persons, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil service and classification laws (not to exceed \$8,900); \$500,000: *Provided*, That no part of the funds herein appropriated shall be used to pay the compensation of any person to initiate, investigate, or prosecute any complaint against any defendant where such defendant does not have the same right to appeal an adverse decision of the Committee on Fair Employment Practice to the President of the United States, or to refer said complaint to the President of the United States for final disposition, as is asserted by or allowed the said Committee on Fair Employment Practice in cases where persons complained against refuse to abide by its orders: *Provided further*, That no part of this appropriation shall be used to pay the compensation of any person to initiate, investigate, or prosecute any proceeding against any person, firm, or corporation which seeks to effect the seizure or operation of any plant or other property of such person, firm, or corporation by Federal authority for failure to abide by any rule or regulation of the Committee on Fair Employment Practice, or for failure to abide by any order passed by the Committee on Fair Employment Practice: *Provided further*, That no part of the funds herein appropriated shall be used to pay the compensation of any person employed by said Committee on Fair Employment Practice who issues or attempts to enforce any rule, regulation, or order which repeals, amends, or modifies any law enacted by the Congress.

## OFFICE OF THE COORDINATOR OF INTER-AMERICAN AFFAIRS

Salaries and expenses: For all necessary expenses of the Office of the Coordinator of Inter-American Affairs, including not to exceed \$15,000 for the temporary employment of persons or organizations by contract or otherwise without regard to the civil-service and classification laws; employment of aliens; travel expenses, not to exceed \$175,000; printing and binding, not to exceed \$12,000; entertainment of officials and others of the other American republics; grants of money, property, or services to governmental and public or private nonprofit institutions and facilities in the United States and the other American republics; the free distribution, donation, or loan of publications, phonograph records, radio scripts, radio transcriptions, art works, motion-picture scripts, motion-picture films, educational material, and other material and equipment; such other gratuitous assistance as the Coordinator may deem necessary and appropriate to carry out his program; expenses of transporting employees of the Office of the Coordinator and their effects from their homes to their places of employment in the other American republics, or from their homes



in the other American republics to their places of employment, and return, when specifically authorized by the Coordinator; travel expenses of dependents and transportation of personal effects, from their places of employment to their homes in the United States or in the possessions of the United States or in the other American republics, of employees for whom such expenses were paid by the Government on their assignment to posts in foreign countries; causing corporations to be created under the laws of the District of Columbia, any State of the United States, or any of the other American republics, to assist in carrying out the Coordinator's program and capitalizing such corporations: *Provided*, That corporations heretofore or hereafter created or caused to be created by the Coordinator primarily for operation outside the continental United States shall determine and prescribe the manner in which their obligations shall be incurred and their expenses allowed and paid without regard to the provisions of law regulating the expenditure, accounting for and audit of Government funds, and may, in their discretion, employ and fix the compensation of officers and employees outside the continental limits of the United States without regard to the provisions of law applicable to the employment and compensation of officers and employees of the United States: *Provided further*, That the Coordinator shall transmit to the President immediately upon the close of the fiscal year a complete financial report of the operations of such corporations; \$18,000,000, of which \$4,000,000 is for the payment of obligations incurred under the contract authorization of \$18,000,000 under this head in the National War Agencies Appropriation Act, 1944, and in addition to said appropriation the Coordinator is authorized to enter into contracts during the fiscal year 1945 in an amount not exceeding \$2,500,000 for obligations necessary for and incident to his program: *Provided further*, That not to exceed \$200,000 of this appropriation shall be available to meet emergencies of a confidential character to be expended under the direction of the Coordinator, who shall make a certificate of the amount of such expenditure which he may think it advisable not to specify and every such certificate shall be deemed a sufficient voucher for the amount therein certified: *Provided further*, That notwithstanding the provisions of section 3679, Revised Statutes (31 U. S. C. 665), the Coordinator is authorized in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of such radio stations and facilities, from such funds as may be hereafter appropriated for the purpose, against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities.

#### OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For all necessary expenses of the Office of Defense Transportation, including salary of the Director at not to exceed \$12,000, traveling expenses (not to exceed \$900,000, including reimbursement, at not to exceed 3 cents per mile, of employees for official travel performed by them in privately owned automobiles within the limits of their official stations); printing and binding (not to exceed \$130,000, including not to exceed \$5,000 for printing

and binding outside the continental limits of the United States without regard to provisions of law governing printing and binding (44 U. S. C. 111)); payment, at rates not in excess of those fixed by law for witnesses attending in United States courts (28 U. S. C. 600c), of fees, mileage, and subsistence of witnesses appearing at hearings held by the Office of Defense Transportation in connection with the performance of its functions: *Provided*, That the payment of subsistence to witnesses shall be subject to certification by the Director of the Office of Defense Transportation or his designee, as to the necessity therefor; \$17,000,000.

#### NATIONAL WAR LABOR BOARD

Salaries and expenses: For all necessary expenses of the National War Labor Board, including salaries at not to exceed \$10,000 per annum each for the four public members and not to exceed \$9,000 per annum each for the four alternate public members of the Board; travel expenses (not to exceed \$1,000,000); printing and binding (not to exceed \$31,300); actual transportation and other necessary expenses, and not to exceed \$25 per diem in lieu of subsistence, whether or not in a travel status, of other members, alternate members and associate members of the Board while serving as such without other compensation from the United States; \$15,000,000.

#### OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

Salaries and expenses: For all necessary expenses of the Office of Scientific Research and Development, including the purchase of reports, documents, plans, or specifications; the employment by contract or otherwise, without regard to civil-service or classification laws, at not to exceed \$25 per day for individuals, of engineers, scientists, civilian analysts, technicians, or other necessary professional personnel or firms, corporations, or other organizations thereof; printing and binding; travel expenses, including, when specifically authorized or approved by the Director of the Office, transportation of personal effects, of personnel to their first posts of duty outside continental United States, and return; travel expenses of personnel on official business outside continental United States and away from designated posts of duty, on assignment with military forces, without regard to the Standardized Government Travel Regulations other than paragraph 45; the cost of a compartment or such other accommodation as may be authorized by the Director for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment; and not to exceed \$6,000 for the entertainment of officials of other countries, \$120,000,000: *Provided*, That there may be paid from this appropriation to the National Academy of Sciences a sum not exceeding \$150,000 for the administrative and overhead expenses incurred by said academy during the fiscal year 1945 in carrying out research projects for Federal agencies, and such sum shall be in addition to any reimbursement otherwise provided for: *Provided further*, That notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), the Office of Scientific Research and Development is authorized, in making contracts for the conduct of investigations or experiments, to agree



on behalf of the United States to indemnify the contractor from such funds as may be hereafter appropriated for the purpose, against loss or damage to persons or property arising from such work: *Provided further*, That funds available to any agency of the Government for scientific, technical, or medical research, development, testing, construction of test models, experimental production, or the provision of facilities therefor, shall be available for transfer with the approval of the head of the agency involved, in whole or in part, to the Office of Scientific Research and Development, and funds so transferred shall be expendable in the same manner as this appropriation: *Provided further*, That the Office of Scientific Research and Development may sell, lease, lend, or otherwise dispose of, under such terms and conditions as it may deem advisable, devices, scientific or technical equipment, models, or other articles of personalty, developed, constructed, produced in or purchased for the performance of its scientific or medical contracts, except articles acquired for administrative purposes, and all receipts from such dispositions shall be covered into the Treasury as miscellaneous receipts.

#### OFFICE OF WAR INFORMATION

Salaries and expenses: For all necessary expenses of the Office of War Information, including the employment of a Director and Associate Director at not exceeding \$12,000 and \$10,000 per annum, respectively; not to exceed \$75,000 for the temporary employment in the United States of persons by contract or otherwise without regard to the civil service and classification laws; employment of aliens; employment of persons outside the continental limits of the United States without regard to the civil service and classification laws; travel expenses (not to exceed \$400,000 for travel within the continental limits of the United States); expenses of transporting employees and their effects from their homes to their places of employment in a foreign country and return to their homes in the United States; purchase of radio time and purchase or rental of facilities for radio transmission; purchase, rental, construction, improvement, maintenance, and operation of facilities for radio transmission and reception, including real property outside the continental limits of the United States and temporary sentry stations, guard barracks, and enclosures for the security of short-wave broadcasting facilities within the continental limits of the United States without regard to the provisions of section 355, Revised Statutes (40 U. S. C. 255), and other provisions of law affecting the purchase or rental of land and the construction of buildings thereon; advertising in foreign newspapers without regard to section 3828, Revised Statutes (44 U. S. C. 324); printing and binding (not to exceed \$2,710,389, for such expenses within the continental limits of the United States), including printing and binding outside the continental limits of the United States without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); purchase or rental and operation of photographic, reproduction, printing, duplicating, communication, and other machines, equipment, and devices; exchange of funds without regard to section 3651, Revised Statutes; purchase of four hundred and eighty-six motor-propelled passenger-carrying vehicles for use outside

the continental limits of the United States which may be acquired without regard to statutory limitations as to price and authority to purchase; acquisition, production, and free distribution of publications, phonograph records, radio transcriptions, motion-picture films, photographs and pictures, educational materials, and such other items as the Director may deem necessary to carry out the program of the Office of War Information, and sale or rental of such items by contract or otherwise to firms or individuals for use outside the continental limits of the United States; purchase, repair, and cleaning of uniforms for use by porters, drivers, messengers, watchmen, and other custodial employees outside continental United States; such gratuitous expenses of travel and subsistence as the Director deems advisable in the fields of education, travel, radio, press, and cinema; not to exceed \$125,000 for entertainment of officials and others in the fields of education, radio, press, and cinema of other countries; payment of the United States' share of the expenses of the maintenance, in cooperation with any other of the United Nations, of organizations and activities designed to receive and disseminate information relative to the prosecution of the war: \$58,625.367: *Provided*, That, exclusive of the contingency fund mentioned in the last proviso hereof, not more than \$48,562.101 (including living and quarters allowances) shall be allocated to the Overseas Operations Branch and not more than \$2,200,000 shall be allocated to the Domestic Operations Branch for the following functions only: Office of the Director; Book and Magazine Bureau; Foreign News Bureau; Office of Program Coordination; News Bureau; Bureau of Special Services; Radio Bureau; Motion Picture Bureau, not exceeding \$54,428: *Provided further*, That notwithstanding the provisions of section 3679, Revised Statutes (31 U. S. C. 665), the Office of War Information is authorized in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose, against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That not to exceed \$600,000 of this appropriation shall be available to meet emergencies of a confidential character to be expended under the direction of the Director, who shall make a certificate of the amount of such expenditure which he may think it advisable not to specify and every such certificate shall be deemed a sufficient voucher for the amount therein certified: *Provided further*, That \$5,500,000 of this appropriation shall not be available for expenditure unless the Director of the Office of War Information, with the approval of the President, shall determine that such funds in addition to the other funds provided herein for the Overseas Branch are necessary for carrying on activities in conjunction with actual or projected military operations and that accounts for these funds may be merged with regular accounts.

No part of this or any other appropriation shall be expended by the Office of War Information for the preparation or publication of any pamphlet or other literature, except the United States Government Manual, for distribution to the public within the United States.



The appropriation herein made for the Office of War Information shall constitute the total amount to be available for obligation by such agency during the fiscal year 1945 and shall not be supplemented by funds from any source except by reverse lend-lease.

#### OFFICE OF WAR MOBILIZATION

Salaries and expenses: For all necessary expenses of the Office of War Mobilization, including salary of the Director at \$15,000 per annum; salaries of two Assistant Directors at \$9,000 per annum each; not to exceed \$169,000 for the employment of persons or organizations by contract or otherwise without regard to section 3709, Revised Statutes, or the civil-service and classification laws; and printing and binding; \$900,000.

#### WAR PRODUCTION BOARD

Salaries and expenses: For all necessary expenses of the War Production Board, including salary of the Chairman at \$15,000 per annum, and salaries of six vice chairmen or principal officials at \$10,000 per annum each; the employment of aliens; the employment of expert witnesses; not to exceed \$20,000 for the temporary employment of persons or organizations, by contract or otherwise, without regard to the civil-service or classification laws; not to exceed \$5,000 for entertainment of officials of other countries when specifically authorized or approved by the Chairman; reimbursement at not to exceed 3 cents per mile, of employees for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations; not to exceed \$4,625,000 for travel expenses, including travel to and from their homes or regular places of business in accordance with the Standardized Travel Regulations, including travel in privately owned automobile (and including per diem in lieu of subsistence at place of employment), of persons employed intermittently away from their homes or regular places of business as compliance commissioners and receiving compensation on a per diem when actually employed basis; not to exceed \$1,217,000 for printing and binding; not to exceed \$4,500,000 for scientific research on materials, material substitutes, and other subjects related to the functions of the Board, without regard to section 3648, Revised Statutes; and the rental, maintenance and operation of one airplane; \$67,500,000: *Provided*. That the requirement in section 301 of the Treasury and Post Office Departments Appropriation Act, 1943, and in section 201 (a) of the Independent Offices Appropriation Act, 1944, that the payment of expenses of travel of employees on transfer from one official station to another must be authorized in the order directing the transfer is hereby waived with respect to such travel performed, with the approval of the Chairman of the Board, or his designee, in the fiscal year 1943, and in the fiscal year 1944 prior to November 1, 1943.

Smaller War Plants Corporation, administrative expenses: Not to exceed \$10,000,000 of the funds of the Smaller War Plants Corporation, acquired in accordance with the Act of June 11, 1942 (Public Law 603), shall be available for the administrative expenses

of such Corporation necessary to enable it to carry out the functions vested in it by such Act, to carry out the provisions of section 2 of such Act, and such other functions as may be lawfully delegated to the Corporation, including the salary of the Chairman of the Board at \$10,000 per annum; not to exceed \$10,000 for the employment of aliens; not to exceed \$500,000 for the temporary employment of persons or organizations by contract or otherwise without regard to the civil-service and classification laws for special services, including audits notwithstanding section 5 of the Act of April 6, 1914 (5 U. S. C. 55); printing and binding; reimbursement, at not to exceed 3 cents per mile, of employees for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations; the hire of motor-propelled passenger-carrying vehicles; procurement of supplies, equipment, and services without regard to section 3709 of the Revised Statutes where the amount involved in any one case does not exceed \$300; and rent in the District of Columbia: *Provided*, That, as determined by the chairman of the Board of Directors, or such officer as may be designated by the Board of Directors for the purpose, expenditures (including expenditures for services performed on a force account or contract or fee basis) necessary in acquiring, operating, maintaining, improving, or disposing of real or personal property belonging to the Corporation or in which it has an interest (except property acquired for the administrative purposes of the Corporation), including expenses of collections of pledged collateral and expenses of service and administration of its loans, advances, and property under section 6 of said Act of June 11, 1942, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That no part of said \$10,000,000 shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant, and all such expenses shall be accounted for and audited in accordance with the Budget and Accounting Act.

#### WAR SHIPPING ADMINISTRATION

War Shipping Administration, revolving fund: To increase the War Shipping Administration revolving fund, \$450,000,000, which amount, together with other funds heretofore or hereafter made available to such revolving fund, shall be available for carrying on all the activities and functions of the War Shipping Administration (not provided for under other appropriations made to said Administration), under Executive order of February 7, 1942 (7 F. R. 837), and heretofore or hereafter lawfully vested in such Administration, including costs incidental to the acquisition, operation, loading, discharging, and use of vessels transferred for use of any department or agency of the United States, for carrying out the provisions of Executive Order Numbered 9112 of March 26, 1942, and for all administrative expenses (not to exceed \$14,500,000 in the fiscal year 1945), including the employment and compensation of persons in the District of Columbia and elsewhere, such employment and compensation to be in accordance with laws applicable to the employment and compensation of persons by the United States Maritime Commission except section 201 (b) of the Merchant Marine Act, 1936



(49 Stat. 1985); expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; actual transportation and other necessary expenses and not to exceed \$25 per diem in lieu of subsistence of persons serving while away from their permanent homes or regular places of business in an advisory capacity to or employed by the Administration without other compensation from the United States or at \$1 per annum; printing and binding; lawbooks, books of reference, periodicals and newspapers; teletype services; purchase, maintenance, repair, rental in foreign countries, and operation of passenger-carrying automobiles; travel expenses, including transportation of effects under regulations prescribed by the Administrator, of employees from their homes to their first post of duty in a foreign country; rent, including heat, light, and power, outside the District of Columbia; necessary advance payments in foreign countries; and the employment, on a contract or fee basis, of persons, firms, or corporations for the performance of special services, including legal services, without regard to section 3709 of the Revised Statutes or the civil-service and classification laws: *Provided*, That when vessels are transferred or assigned permanently by the War Shipping Administrator to other departments or agencies of the United States Government for operation by them, funds for the operation, loading, discharging, repairs, and alterations, or other use of such vessels may be transferred from this fund to the applicable appropriations of the department or agency concerned in such amounts as may be approved by the Director of the Bureau of the Budget: *Provided further*, That the Secretary of the Treasury is hereby authorized and directed to transfer the sum of \$100,000,000 from the marine and war risk insurance fund to the War Shipping Administration, revolving fund.

Maritime training fund, War Shipping Administration: For the training, recruitment, repatriation, rehabilitation, and placement of personnel for the manning of the merchant marine, and the establishment and maintenance of policies respecting maritime labor relations and conditions, and for administrative expenses (not to exceed \$4,000,000) including all the administrative items of expenditure for which the appropriation "War Shipping Administration, revolving fund", is available, and not to exceed \$2,500 for contingencies for the Superintendent, United States Merchant Marine Academy, to be expended in his discretion, \$80,000,000, of which \$2,700,000 shall be available for payment of obligations incurred in the fiscal year 1944: *Provided*, That the amount which may be expended for administrative expenses in the fiscal year 1944 is hereby increased from \$2,600,000 to \$2,700,000.

State marine schools, War Shipping Administration: To reimburse the State of California, \$50,000; the State of Maine, \$50,000; the State of Massachusetts, \$50,000; the State of New York, \$50,000; and the State of Pennsylvania, \$50,000; for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911, as amended (34 U. S. C. 1121-1123); and for the maintenance and repair of vessels loaned by the United States to the said States for use in connection with such State marine schools, \$100,000; in all, \$350,000.

## OFFICE FOR EMERGENCY MANAGEMENT—GENERAL PROVISIONS

(a) The head of any constituent agency may delegate to any official in such agency or in the field offices of the Division of Central Administrative Services the authority to make appointments of personnel and he may also delegate to any official in the agency of which he is the head the authority to make other determinations necessary for the conduct of the administrative management within such agency.

(b) Any employee of any of the constituent agencies is authorized, when designated for the purpose by the head of such agency, to administer to or take from any person an oath, affirmation, or affidavit, when such instrument is required in connection with the performance of the functions or activities of such agency.

(c) The head of any of the constituent agencies is authorized, in connection with the operations of such agency, to consider, ascertain, adjust, determine, and certify claims against the United States in accordance with the Act of December 28, 1922 (31 U. S. C. 215), and to designate certifying officers in accordance with the Act of December 29, 1941, or to delegate authority to the Director of the Division of Central Administrative Services to designate employees of such Division as certifying officers to certify vouchers payable against the funds of the constituent agency concerned.

(d) The appropriations for the constituent agencies under the Office for Emergency Management for the fiscal year 1945 shall be available for the hire of motor-propelled passenger-carrying vehicles, and the appropriations for such agencies for the fiscal year 1944 shall be construed as having been available for such purpose.

## INDEPENDENT EXECUTIVE AGENCIES

## SELECTIVE SERVICE SYSTEM

Salaries and expenses, Selective Service System: For all expenses necessary for the operation and maintenance of the Selective Service System as authorized by the Selective Training and Service Act of 1940 (50 U. S. C. App. 301); including not to exceed \$400,000 for printing and binding and not to exceed \$1,000,000 for expenditure through other Federal agencies, and through State agencies without regard to section 3648 of the Revised Statutes, for gathering of medical and social history information on registrants; purchase, for replacement, of not to exceed thirty-two motor-propelled passenger-carrying vehicles; and, under such rules or regulations as may be prescribed by the Director of Selective Service, expenses of emergency medical care, including hospitalization, of registrants who suffer illness or injury, and the transportation, and burial, of the remains of registrants who suffer death, while acting under orders issued under the selective-service law but such burial expenses shall not exceed \$150 in any one case; \$62,500,000: *Provided*, That such amounts as may be necessary shall be available for the planning, directing, and operation of a program of work of national importance under civilian direction, either independently or in cooperation with governmental or nongovernmental agencies, and the assignment and delivery thereto of individuals found to be conscientiously opposed to participation in work of the land or naval forces, which



cooperation with other agencies may include the furnishing of funds to and acceptance of money, services, or other forms of assistance from such nongovernmental agencies for the more effectual accomplishment of the work; and for the pay and allowances of such individuals at rates not in excess of those paid to persons inducted into the Army under the Selective Service System, and such privileges as are accorded such inductees: *Provided further*, That the travel of persons engaged in the administration of the Selective Service System, including commissioned, warrant, or enlisted personnel of the Army, Navy, Marine Corps, or their reserve components, may be ordered by the Director or by such persons as he may authorize, and persons so traveling shall be entitled to transportation and subsistence or per diem in lieu of subsistence, at rates authorized by law: *Provided further*, That the Director of Selective Service, in prescribing per diem rates of allowance, not exceeding \$7, in lieu of subsistence for officers of the Army; Navy, and Marine Corps, and of the reserve components thereof, traveling on official business and away from their designated posts of duty, pursuant to the first paragraph of section 12 of the Act approved June 16, 1942 (37 U. S. C. 112), is hereby authorized to prescribe such per diem rates of allowance, whether or not orders are given to such officers for travel to be performed repeatedly between two or more places in the same vicinity, and without regard to the length of time away from their designated posts of duty under such orders.

## DEPARTMENT OF THE INTERIOR

### WAR RELOCATION AUTHORITY

Salaries and expenses: For all necessary expenses of the War Relocation Authority, \$39,000,000, including expenses incident to the extension of the program provided for in Executive Order 9102 to persons of Japanese ancestry not evacuated from military areas; salary of the Director at not to exceed \$10,000 per annum; employment of aliens; traveling expenses, not to exceed \$375,000; printing and binding, not to exceed \$28,000; procurement, without regard to section 3709, Revised Statutes, of supplies and equipment (with or without personal services); purchase for replacement (not to exceed \$50,000) of passenger-carrying automobiles; the leasing to others of land acquired for the program; purchase of uniforms for internal security officers; transfer of household goods and effects as provided by the Act of October 10, 1940, including travel expenses, of employees transferred from other Federal agencies to the Authority at its request; not to exceed \$10,000 for payment to States or political subdivisions thereof, or other local public taxing units, of sums in lieu of taxes against real property acquired by the Authority for the purposes hereof; for payments for the performance of governmental services required in connection with the administration of the program; the disposal, by public or private sale, of goods or commodities produced or manufactured in the performance of activities hereunder, the proceeds of which shall be deposited in a special fund which shall remain available until June 30, 1945, for the purposes hereof: *Provided*, That the provisions of the Act of February 15, 1934 (48 Stat. 351), as amended, relating to disability or

death compensation and benefits, shall apply to persons receiving from the United States compensation in the form of subsistence, cash advances, or other allowances in accordance with regulations prescribed by the Director of the War Relocation Authority for work performed in connection with such program, including work performed in the War Relocation Work Corps: *Provided further*, That this provision shall not apply in any case coming within the purview of the workmen's compensation laws of any State, Territory, or possession, or in which the claimant has received or is entitled to receive similar benefits for injury or death: *Provided further*, That the Secretary of the Interior may delegate to any official in the War Relocation Authority the authority to make appointments of personnel and he may also delegate to any official in the War Relocation Authority the authority to make other determinations necessary for the conduct of administrative management within the Authority: *And provided further*, That the limitation placed on the amount available for travel expenses for the War Relocation Authority shall not apply to travel of evacuees and their escorts incident to transfers and relocation.

## TITLE II—GENERAL PROVISIONS

SEC. 201. The appropriations in this Act for salaries and expenses shall be available, in addition to the objects specified under each head, and without regard to section 3709, Revised Statutes (except as otherwise specified herein), for personal services in the District of Columbia and elsewhere; contract stenographic reporting services; lawbooks, books of reference, newspapers and periodicals; maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; acceptance and utilization of voluntary and uncompensated services; and traveling expenses, including expenses of attendance at meetings of organizations concerned with the work of the agency from whose appropriation such expenses are paid, and actual transportation and other necessary expenses, and not to exceed \$10 (unless otherwise specified) per diem in lieu of subsistence, of persons serving while away from their permanent homes or regular places of business in an advisory capacity to or employed by any of such agencies without other compensation from the United States, or at \$1 per annum, and including (upon authorization or approval of the head of any of such agencies) travel expenses to and from their homes or regular places of business in accordance with the Standardized Government Travel Regulations, including travel in privately owned automobile (and including per diem in lieu of subsistence at place of employment), of persons employed intermittently away from their homes or regular places of business as consultants and receiving compensation on a per diem when actually employed basis.

SEC. 202. Whenever sums are set apart from the appropriations in this Act for special projects (classified in the estimates submitted to Congress as or under "Other contractual services") expenditures may be made therefrom for traveling expenses, printing and binding, and purchase of motor-propelled passenger-carrying vehicles without regard to the limitations specified for such objects under the respective heads, but within such amounts as the Director of the Bureau of the Budget may approve therefor and such Director shall report



to Congress each such limitation determined by him: *Provided*, That such limitations shall not apply where the special projects are performed by non-Government agencies.

SEC. 203. With the prior approval of the Bureau of the Budget and under authority of section 601 of the Act of June 30, 1932, as amended (31 U. S. C. 686), orders for work or services to be performed by other agencies of the Government may be placed by any of the agencies whose appropriations are contained in this Act, but no agency shall perform work or render services with or without reimbursement (including the detail or loan of personnel) for any of the agencies whose appropriations are contained in this Act except in pursuance of orders so approved or under specific authority of other law. This provision shall not apply to the Office of Strategic Services.

SEC. 204. The foregoing sections 201, 202, and 203 shall have no application to appropriations for the War Shipping Administration.

SEC. 205. For the purposes of section 303 of the First Supplemental National Defense Appropriation Act, 1944, and any similar general provisions for the fiscal year 1945, persons serving the Government at \$1 per annum shall be considered as serving without compensation.

SEC. 206. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 207. If at any time during the fiscal year 1945 the termination of the Act entitled "An Act to provide temporary additional compensation for employees in the Postal Service", approved April 9, 1943, or of the Act entitled "An Act to provide for the payment of overtime compensation to Government employees, and for other purposes", approved May 7, 1943, shall be fixed by concurrent resolution of the Congress at a date earlier than June 30, 1945, the appropriations contained in this Act shall cease to be available on such earlier date for obligation for the purposes of the terminated Act and the unobligated portions of appropriations allocated for the purposes of such terminated Act shall not be obligated for any other purposes of the appropriation during the fiscal year 1945.

SEC. 208. This Act may be cited as the "National War Agency Appropriation Act, 1945".

Approved June 28, 1944.

